

***** PUBLIC DOCKET *****

**U.S. District Court
Southern District of Indiana (Terre Haute)
CIVIL DOCKET FOR CASE #: 2:23-cv-00030-JRS-MJD**

DAVIS v. ASHBA et al
Assigned to: Judge James R. Sweeney II
Referred to: Magistrate Judge Mark J. Dinsmore
Related Case: [2:22-cv-00172-JPH-MKK](#)
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 01/18/2023
Jury Demand: Defendant
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff

SONNY DAVIS

represented by **SONNY DAVIS**
128888
CORRECTIONAL INDUSTRIAL
FACILITY (CIF)
CORRECTIONAL INDUSTRIAL
FACILITY
Inmate Mail/Parcels
5124 West Reformatory Road
PENDLETON, IN 46064
PRO SE

V.

Defendant

JORDAN ASHBA

represented by **Steven Reidell**
Office of Indiana Attorney General
Government Litigation
302 W. Washington St
Ste IGCS Fifth Floor
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937-474-0197
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Defendant

CALEB WAINMAN

represented by **Steven Reidell**
(See above for address)
ATTORNEY TO BE NOTICED

Thomas Pratt

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/18/2023	<u>1</u>	COMPLAINT against All Defendants, filed by SONNY DAVIS. (No fee paid with this filing) (Attachments: # <u>1</u> Exhibits)(KAA) (Entered: 01/18/2023)
01/18/2023	<u>2</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff SONNY DAVIS. (Attachments: # <u>1</u> Exhibits)(KAA) (Entered: 01/18/2023)
01/18/2023	<u>3</u>	ORDER DENYING MOTION TO RECONSIDER AND DIRECTING SERVERANCE OF CLAIMS - The clerk is directed to open a new civil action on the docket consistent with the following: See case 2:22-cv-172-JPH-MJD. Signed by Judge James Patrick Hanlon on 1/18/2023.(KAA) (Entered: 01/18/2023)
01/19/2023	<u>4</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (KAA) (Entered: 01/19/2023)
01/19/2023	<u>5</u>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (KAA) (Entered: 01/19/2023)
01/23/2023	<u>6</u>	NOTICE to Pro se Litigant - The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the Court. (Copy sent to plaintiff via US mail). (JRT) (Entered: 01/23/2023)
02/02/2023	<u>7</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis. Although the plaintiff is excused from pre-paying the full filing fee, he still must pay the three hundred and fifty dollar (\$350.00) filing fee. Copy to plaintiff via US Mail. Signed by Judge James R. Sweeney II on 2/2/2023. (KAA) (Entered: 02/03/2023)
04/24/2023	<u>8</u>	Order Screening Complaint and Directing Further Proceedings - This summary of claims includes all of the viable claims identified by the Court. All other claims have been dismissed. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have through May 18, 2023, in which to identify those claims. The clerk is directed to terminate Frank Vanihel, Robert Carter, Jr., and the Indiana Department of Correction as defendants on the docket. The clerk is directed to issue process to defendants Ashba, Stevens, Jobe, Wadhawan, Sarah Clarke, M. Shepard, Wainman, and Centurion Health of Indiana, LLC. The clerk is directed to serve the Indiana Department of Correction and Centurion employees electronically. Copy to plaintiff via US Mail. Signed by Judge James R. Sweeney II on 4/24/2023.(KAA) (Entered: 04/24/2023)
04/24/2023	<u>9</u>	NOTICE of Lawsuit & Waiver Issued by Clerk upon: Sgt. Ashba, Correctional Officer Wainman, Correctional Officer Stevens, Correctional Officer Jobe, Captain Wadhawan, Correctional Officer M. Shepard, Sarah Clarke, Mental Health Professional, Centurion Health of Indiana. (KAA) (Main Document 9 replaced on 4/24/2023) (KAA). (Entered: 04/24/2023)
04/24/2023	<u>10</u>	Documents to be Sent via Electronic Notice - re <u>1</u> Complaint, <u>8</u> Order, <u>9</u> NOTICE of Lawsuit & Waiver Issued by Clerk Electronic Notice to IDOC and Centurion. (KAA) (Entered: 04/24/2023)
04/26/2023	<u>11</u>	NOTICE of Appearance by Travis W. Montgomery on behalf of Defendants CENTURION, SARAH CLARKE. (Montgomery, Travis) (Entered: 04/26/2023)

04/26/2023	12	WAIVER OF SERVICE Returned Executed, filed by SARAH CLARKE, CENTURION. SARAH CLARKE waiver sent on 4/24/2023; CENTURION waiver sent on 4/24/2023. (Montgomery, Travis) (Entered: 04/26/2023)
04/26/2023	13	Rule 7.1 Disclosure Statement by CENTURION identifying Corporate Parent MHM SERVICES, INC., Corporate Parent CENTURION, LLC, Corporate Parent Centurion Equity, Inc. for CENTURION.. (Montgomery, Travis) (Entered: 04/26/2023)
04/26/2023	14	NOTICE of Appearance by Jeb Adam Crandall on behalf of Defendants CENTURION, SARAH CLARKE. (Crandall, Jeb) (Entered: 04/26/2023)
05/24/2023	15	NOTICE of Appearance by Erica Lee Sawyer on behalf of Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN. (Sawyer, Erica) (Entered: 05/24/2023)
05/24/2023	16	NOTICE of Appearance by Breanne Chambers on behalf of Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN. (Chambers, Breanne) (Entered: 05/24/2023)
05/24/2023	17	WAIVER OF SERVICE Returned Executed, filed by WADHAWAN, M. SHEPARD, STEVENS, WAINMAN, ASHBA, JOBE. WADHAWAN waiver sent on 4/24/2023; M. SHEPARD waiver sent on 4/24/2023; STEVENS waiver sent on 4/24/2023; WAINMAN waiver sent on 4/24/2023; ASHBA waiver sent on 4/24/2023; JOBE waiver sent on 4/24/2023. (Chambers, Breanne) (Entered: 05/24/2023)
06/23/2023	18	ANSWER <i>Affirmative Defenses and Demand for Jury Trial</i> , filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN. (Chambers, Breanne) (Entered: 06/23/2023)
06/23/2023	19	<i>Centurion Defendants'</i> ANSWER to 1 Complaint , filed by CENTURION, SARAH CLARKE.(Montgomery, Travis) (Entered: 06/23/2023)
06/28/2023	20	ENTRY DIRECTING DEVELOPMENT OF EXHAUSTION DEFENSE AND ISSUING PARTIAL STAY - The exhaustion defense will be resolved pursuant to the following schedule. The defendant shall have through August 9, 2023, in which to either: SEE ORDER. The failure to pursue any of these options by the above deadline constitutes an abandonment of the exhaustion defense. If a dispositive motion is filed, the plaintiff shall have twenty-eight (28) days in which to respond. The movant shall then have fourteen (14) days in which to reply. Copy to plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 6/28/2023.(KAA) (Entered: 06/28/2023)
07/27/2023	21	RESPONSE, re 20 Entry, filed by Plaintiff SONNY DAVIS. (Attachments: # 1 Exhibit) (AAS) (Entered: 07/27/2023)
08/09/2023	22	NOTICE <i>Regarding Withdrawal of Affirmative Defense (Exhaustion)</i> , filed by Defendants CENTURION, SARAH CLARKE (Montgomery, Travis) (Entered: 08/09/2023)
08/09/2023	23	NOTICE <i>of Withdrawal of Exhaustion Defense</i> , filed by Defendants ASHBA, ROBERT CARTER, JR, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN, re 18 Answer. (Chambers, Breanne) (Entered: 08/09/2023)
08/10/2023	24	ORDER SETTING PRETRIAL SCHEDULE AND DISCUSSING DISCOVERY IN PRISONER LITIGATION: This Order sets the schedule for how this action shall proceed. Part I sets forth the pretrial deadlines. Part II discusses various aspects of discovery. Facilitating the discovery process can be difficult, and this Order is issued in an effort to help explain and streamline the process for the parties. The parties should carefully read this Order. *SEE ORDER FOR ADDITIONAL INFORMATION*. Dispositive Motions due by 5/10/2024. Discovery due by 4/12/2024. Copy sent to

		Plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 8/10/2023.(JRB) (Entered: 08/10/2023)
09/11/2023	25	NOTICE of Service of Initial Disclosures , filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN. (Chambers, Breanne) (Entered: 09/11/2023)
09/11/2023	26	NOTICE of Service of Initial Disclosures , filed by Defendants CENTURION, SARAH CLARKE. (Montgomery, Travis) (Entered: 09/11/2023)
10/02/2023	27	AMENDED COMPLAINT against ASHBA, ROBERT CARTER, JR, CENTURION, SARAH CLARKE, JOBE, M. SHEPARD, STEVENS, FRANK VANIHIL, WADHAWAN, WAINMAN, filed by SONNY DAVIS.(LBT) (Entered: 10/03/2023)
10/11/2023	28	DISCOVERY - Interrogatories to Defendants, filed by Plaintiff SONNY DAVIS.(AAS) (Entered: 10/11/2023)
10/11/2023	29	MOTION for the Court Order, filed by Plaintiff SONNY DAVIS. (SWM) (Entered: 10/12/2023)
10/11/2023	30	First REQUEST for Production of Documents, filed by Plaintiff SONNY DAVIS. (JSR) (Entered: 10/12/2023)
10/16/2023	31	MOTION to Strike 27 Amended Complaint , filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion to Strike Amended Compliant)(Chambers, Breanne) (Entered: 10/16/2023)
10/25/2023	32	MOTION to Strike 30 Request for Production of Documents , filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion to Strike)(Chambers, Breanne) (Entered: 10/25/2023)
10/30/2023	33	MOTION to Order Warden to Show Plaintiff Videos, filed by Plaintiff SONNY DAVIS. (JSR) (Entered: 10/30/2023)
10/30/2023	34	Request for Interrogatories, filed by Plaintiff SONNY DAVIS. (JSR) (Entered: 10/30/2023)
10/30/2023	35	RESPONSE in Opposition re 32 MOTION to Strike 30 Request for Production of Documents , filed by Plaintiff SONNY DAVIS. (JSR) (Entered: 10/30/2023)
11/29/2023	36	MOTION to Strike 34 Discovery <i>Plaintiff's Request for Interrogatories to Wainman and Ashba</i> , filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN. (Attachments: # 1 Text of Proposed Order)(Chambers, Breanne) (Entered: 11/29/2023)
12/04/2023	37	NOTICE Regarding Docket 33 <i>Verifying Plaintiff Viewed Video Footage</i> , filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN, re 33 MOTION. (Attachments: # 1 Exhibit A - Executed Form from Mr. Davis Stating Viewed Video Footage) (Chambers, Breanne) (Entered: 12/04/2023)
12/11/2023	38	ORDER GRANTING MOTION FOR COPY, DENYING MOTIONS TO STRIKE, GRANTING LEAVE TO AMEND, AND DIRECTING RESPONSES TO DISCOVERY REQUESTS - Mr. Davis asserts he did not receive the scheduling order and has filed a motion requesting another copy. That motion, dkt. 29 , is GRANTED. The Clerk is directed to include a copy of the scheduling order issued August 10, 2023, dkt. 24 , with this Order. The motion to strike amended complaint, dkt. 31 , is DENIED. The defendants' motions to strike requests for production and request for interrogatories, dkt.

		32 and dkt. 36 , are also DENIED. The defendants shall treat these discovery requests as if they were properly served on the date this Order is entered on the docket. In the future, Mr. Davis shall not file his discovery requests with the Court and shall instead serve them on the proper parties or attorneys as required by the Federal Rules of Civil Procedure. The motion to order warden to show plaintiff videos, dkt. 33 , is therefore DENIED as moot. Copies to plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 12/11/2023. (Attachments: # 1 Dkt. 24) (KAA) (Entered: 12/12/2023)
01/10/2024	39	NOTICE (<i>Defendants'</i>) of Service of Discovery Responses to Plaintiff's Interrogatories to Defendant Ashba, filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN (Chambers, Breanne) (Entered: 01/10/2024)
01/10/2024	40	MOTION for Extension of Time to January 24, 2024 to Respond to Plaintiff's Interrogatories to Defendant Wainman and Plaintiff's Request for Production of Documents, filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN. (Attachments: # 1 Text of Proposed Order)(Chambers, Breanne) (Entered: 01/10/2024)
01/16/2024	41	ORDER granting 40 Motion for Extension of Time to Respond to Discovery. State Defendants shall have through January 24, 2024, in which to respond to Plaintiff's Request for Interrogatories for Defendant Caleb Wainman and Plaintiff's Requests for Production of Documents. Signed by Magistrate Judge Mark J. Dinsmore on 1/16/2024 (Copy mailed to Plaintiff). (LBT) (Entered: 01/16/2024)
01/24/2024	42	NOTICE (<i>Defendants'</i>) of Service of Discovery Responses to Plaintiff's Interrogatories to Defendant Wainman and Plaintiff's Request for Production of Documents, filed by Defendants ASHBA, JOBE, M. SHEPARD, STEVENS, WADHAWAN, WAINMAN (Chambers, Breanne) (Entered: 01/24/2024)
01/30/2024	43	Order Screening Amended Complaint and Directing Further Proceedings - Plaintiff Sonny Davis, who is incarcerated in the Indiana Department of Correction, brought this action based on allegations of excessive force, unconstitutional conditions of confinement, and retaliation at Wabash Valley Correctional Facility. The Court granted Mr. Davis leave to file an amended complaint, dkt. 38 , which the Court now screens. The clerk is directed to add Commissioner Robert Carter, Jr., and Warden Frank Vanihel as defendants on the docket. The clerk is directed to issue process to Commissioner Carter and Warden Vanihel. The existing Defendants shall have 14 days following entry of this Order on the docket to answer or otherwise respond to the amended complaint. The clerk is directed to update the remaining Defendants' names on the docket as follows: SEE ORDER. Copy to plaintiff via US Mail. Signed by Judge James R. Sweeney II on 1/30/2024.(KAA) (Entered: 01/30/2024)
01/30/2024	44	NOTICE of Lawsuit & Waiver Issued by Clerk upon: 1) Robert Carter, Jr., 2) Frank Vanihel. (KAA) (Entered: 01/30/2024)
01/30/2024	45	Documents to be Sent via Electronic Notice - re 27 Amended Complaint, 44 NOTICE of Lawsuit & Waiver Issued by Clerk, 43 Order Electronic Notice to IDOC. (KAA) (Entered: 01/30/2024)
02/02/2024	46	NOTICE of Service of Expert Witness Disclosures, filed by Defendants CENTURION HEALTH LLC., SARAH CLARKE (Montgomery, Travis) (Entered: 02/02/2024)
02/13/2024	47	Centurion Defendants' ANSWER to 27 Amended Complaint , filed by CENTURION HEALTH LLC., SARAH CLARKE.(Montgomery, Travis) (Entered: 02/13/2024)
02/13/2024	48	NOTICE of Appearance by Breanne Chambers on behalf of Defendants ROBERT CARTER, JR, FRANK VANIHEL. (Chambers, Breanne) (Entered: 02/13/2024)

02/13/2024	49	<i>Defendants' ANSWER to 27 Amended Complaint Affirmative Defenses and Demand for Jury Trial</i> , filed by JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN.(Chambers, Breanne) (Entered: 02/13/2024)
02/13/2024	50	MOTION <i>for Leave to Take Deposition of Plaintiff</i> , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Attachments: # 1 Text of Proposed Order)(Chambers, Breanne) (Entered: 02/13/2024)
02/14/2024	51	NOTICE (<i>Defendants'</i>) of Service of Discovery to Plaintiff, filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN (Chambers, Breanne) (Entered: 02/14/2024)
02/15/2024	52	ORDER granting Defendants' 50 for Leave to Depose Plaintiff as provided for in Rule 30(d)(1) prior to the close of discovery. Copy to Plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 2/15/2024. (SWM) (Entered: 02/15/2024)
02/20/2024	53	WAIVER OF SERVICE Returned Executed, filed by ROBERT CARTER, JR, FRANK VANIHEL. ROBERT CARTER, JR waiver sent on 1/30/2024; FRANK VANIHEL waiver sent on 1/30/2024. (Chambers, Breanne) (Entered: 02/20/2024)
02/23/2024	54	RESPONSE to Plaintiff's First Request for Production of Documents, filed by Defendants JORDAN ASHBA, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, KULDIP WADHAWAN AND CALEB WAINMAN.(SWM) (Entered: 02/23/2024)
02/23/2024	55	MOTION to Compel filed by Plaintiff SONNY DAVIS. (Attachments: # 1 Exhibit)(BAA) (Entered: 02/23/2024)
02/28/2024	56	MOTION for Sanctions, filed by Plaintiff SONNY DAVIS. (CKM) (Entered: 02/29/2024)
03/07/2024	57	MOTION for Extension of Time to File Response to March 22, 2024 re 56 MOTION for Sanctions, 55 MOTION to Compel , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Attachments: # 1 Text of Proposed Order)(Sawyer, Erica) (Entered: 03/07/2024)
03/22/2024	58	RESPONSE in Opposition re 55 MOTION to Compel, 56 MOTION for Sanctions , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Attachments: # 1 Exhibit A - Letter from Plaintiff, February 9, 2024)(Chambers, Breanne) (Entered: 03/22/2024)
03/27/2024	59	MOTION for Extension of Time to May 13, 2024 and June 10, 2024 in which to Extend 24 Discovery and Dispositive Motion Deadlines, filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Attachments: # 1 Text of Proposed Order)(Chambers, Breanne) Modified on 3/28/2024 (CKM). (Entered: 03/27/2024)
04/08/2024	60	ORDER - This matter is before the Court on State Defendant's Motion To Extend The Discovery And Dispositive Motion Deadlines. Dkt. 59 . The Court, being duly advised, hereby GRANTS the motion. All discovery requests must be served on the responding party (but NOT filed with the Court) no later than March 13, 2024. All Discovery must be completed by May 13, 2024. Motions for Summary Judgment: On or before June 10, 2024. All other requirements of Section I of the Court's Order Setting Pretrial Schedule

		Dkt. 24 remain in effect. (See Order.) Copy to plaintiff via US mail. Signed by Magistrate Judge Mark J. Dinsmore on 04/08/2024. (AJG) (Entered: 04/09/2024)
04/10/2024	61	MOTION for Filings and NOTICE of Change of Address. Address updated from WESTVILLE - CF to New Castle - CF, filed by Plaintiff SONNY DAVIS. (Attachments: # 1 Envelope) (JSR) (Entered: 04/11/2024)
04/19/2024	62	ORDER - The State Defendants' (Defendants Ashba, Carter, Jobe, Shepard, Stevenson, Vanihel, Wadhawan, and Wainman) motion for extension of time to respond to Plaintiff's pending motions to compel and for sanctions, dkt. 57 , is GRANTED to the extent that the Court deems their response, dkt. 58 , to be timely filed. Any reply in support of the motions must be filed on or before May 3, 2024. Plaintiff's motion for copies, dkt. 61 , is GRANTED to the extent that the Clerk is directed to enclose copies of the following with Plaintiff's copy of this Order: (1) the State Defendants' response to the motions to compel and for sanctions, dkt. 58 ; (2) the Court's Order of April 8, 2024, dkt. 60 ; and (3) a public docket sheet. Copies to plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 4/19/2024. (Attachments: # 1 Dkt. 58, # 2 Dkt. 60, # 3 Public Docket Sheet) (KAA) (Entered: 04/22/2024)
04/19/2024	63	ORDER GRANTING MOTION FOR EXTENSION OF TIME - This matter is before the Court on the State Defendants' motion for extension of time to respond to Plaintiff's pending motions to compel and for sanctions. Dkt. 57. The Court finds good cause for the requested extension, and the motion, dkt. 57 , is GRANTED. The deadline for the State Defendants to respond to the motion to compel, dkt. 55 , and motion for sanctions, dkt. 56 , is extended up to and including March 22, 2024. Signed by Magistrate Judge Mark J. Dinsmore on 04/19/2024. Copy to Plaintiff via US Mail. (AAT) (Entered: 04/22/2024)
05/08/2024	64	REPLY to Response to Motion to Compel and Sanctions, filed by Plaintiff SONNY DAVIS. (Attachments: # 1 Envelope) (BAA) (Entered: 05/09/2024)
06/10/2024	65	MOTION for Extension of Time to June 17, 2024 <i>to File Motion for Summary Judgment</i> , filed by Defendants CENTURION HEALTH LLC., SARAH CLARKE. (Attachments: # 1 Text of Proposed Order)(Montgomery, Travis) (Entered: 06/10/2024)
06/10/2024	66	MOTION for Summary Judgment , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Chambers, Breanne) (Entered: 06/10/2024)
06/10/2024	67	BRIEF/MEMORANDUM in Support re 66 MOTION for Summary Judgment , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Chambers, Breanne) (Entered: 06/10/2024)
06/10/2024	68	Designation of Evidence re 66 MOTION for Summary Judgment , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Attachments: # 1 Exhibit A, # 2 Exhibit C, # 3 Exhibit D, # 4 Exhibit E, # 5 Exhibit H)(Chambers, Breanne) (Entered: 06/10/2024)
06/10/2024	69	NOTICE <i>to Pro Se Litigant</i> , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN, re 66 MOTION for Summary Judgment . (Chambers, Breanne) (Entered: 06/10/2024)
06/10/2024	70	NOTICE of Manual Filing <i>of Exhibit B, Exhibit F, Exhibit G, and Exhibit I</i> re 66 MOTION for Summary Judgment , filed by JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL,

		KULDIP WADHAWAN, CALEB WAINMAN (Chambers, Breanne) (Entered: 06/10/2024)
06/13/2024	71	ORDER granting 65 Motion for Extension of Deadline to File Summary Judgment Motion. The Centurion Defendants shall have up to and including June 17, 2024, to file any motion for summary judgment. Signed by Magistrate Judge Mark J. Dinsmore on 6/13/2024 (Copy mailed to Plaintiff). (LBT) (Entered: 06/13/2024)
06/13/2024	72	Remark One CD Received re 70 NOTICE of Manual Filing of <i>Exhibit B, Exhibit F, Exhibit G, and Exhibit I</i> re 66 MOTION for Summary Judgment , filed by JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN (Chambers, Breanne) (AAS) (Entered: 06/14/2024)
06/17/2024	73	MOTION for Summary Judgment , filed by Defendants CENTURION HEALTH LLC., SARAH CLARKE. (Attachments: # 1 Text of Proposed Order)(Montgomery, Travis) (Entered: 06/17/2024)
06/17/2024	74	Designation of Evidence re 73 MOTION for Summary Judgment , filed by Defendants CENTURION HEALTH LLC., SARAH CLARKE. (Attachments: # 1 Exhibit, # 2 Affidavit, # 3 Affidavit, # 4 Exhibit, # 5 Exhibit)(Montgomery, Travis) (Entered: 06/17/2024)
06/17/2024	75	BRIEF/MEMORANDUM in Support re 73 MOTION for Summary Judgment , filed by Defendants CENTURION HEALTH LLC., SARAH CLARKE. (Montgomery, Travis) (Entered: 06/17/2024)
06/17/2024	76	NOTICE , filed by Defendants CENTURION HEALTH LLC., SARAH CLARKE, re 73 MOTION for Summary Judgment , 74 Designation of Evidence, 75 Brief/Memorandum in Support. (Montgomery, Travis) (Entered: 06/17/2024)
07/25/2024	77	RESPONSE in Opposition re 73 MOTION for Summary Judgment , filed by Plaintiff SONNY DAVIS. (Attachments: # 1 Envelope)(LF) (Entered: 07/29/2024)
07/25/2024	78	BRIEF/MEMORANDUM in Support of Response in Opposition to Motion re 73 MOTION for Summary Judgment , filed by Plaintiff SONNY DAVIS. (Attachments: # 1 Exhibit, # 2 Envelope)(LF) (Entered: 07/29/2024)
08/08/2024	79	REPLY in Support of Motion re 73 MOTION for Summary Judgment , filed by Defendants CENTURION HEALTH LLC., SARAH CLARKE. (Montgomery, Travis) (Entered: 08/08/2024)
08/08/2024	80	REPLY in Support of Motion re 66 MOTION for Summary Judgment , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Chambers, Breanne) (Entered: 08/08/2024)
08/29/2024	81	MOTION to Withdraw Attorney Appearance <i>Breanne Chambers</i> , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Attachments: # 1 Text of Proposed Order Granting Motion to Withdraw Appearance)(Chambers, Breanne) (Entered: 08/29/2024)
09/03/2024	82	ORDER granting 81 Motion to Withdraw Attorney Appearance. Attorney Breanne Chambers withdrawn. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Mark J. Dinsmore on 9/3/2024. (JRB) (Entered: 09/03/2024)
09/06/2024	83	Renewed MOTION for Sanctions, filed by Plaintiff SONNY DAVIS. (Attachments: # 1 Envelope)(AJG) (Entered: 09/09/2024)

09/20/2024	84	RESPONSE in Opposition re 83 MOTION for Sanctions , filed by Defendants JORDAN ASHBA, ROBERT CARTER, JR, JASON JOBE, MARK SHEPARD, COLTON STEVENSON, FRANK VANIHEL, KULDIP WADHAWAN, CALEB WAINMAN. (Sawyer, Erica) (Entered: 09/20/2024)
09/20/2024	85	RESPONSE in Opposition re 83 MOTION for Sanctions , filed by Defendants CENTURION HEALTH LLC., SARAH CLARKE. (Montgomery, Travis) (Entered: 09/20/2024)
03/10/2025	86	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION FOR SUMMARY JUDGMENT - Medical Defendants' motion for summary judgment dkt. 73 is GRANTED.IDOC Defendants' motion for summary judgment dkt. 66 is GRANTED in part and DENIED in part. It is GRANTED as to the incident on April 8. Sgt. Ashba and Officer Wainman's motion for summary judgment is DENIED as to the Eighth Amendment excessive force claims from the incident on April 9. The clerk is directed to terminate Officer Shepard, Officer Jobe, Officer Stevenson, Frank Vanihel, Kuldip Wadhawan, Commissioner Robert Carter, Centurion, Mark Shepard, and Counselor Sarah Clarke from the docket. The Court prefers that Mr. Davis be represented by counsel for the remainder of this action. The clerk is directed to send Mr. Davis a motion for assistance recruiting counsel with his copy of this Order. Mr. Davis has 30 days after the entering of this order, to file a motion for counsel using this form motion or to inform the Court that he wishes to proceed pro se. Once the motion has been ruled on and counsel has been recruited, the magistrate judge is asked to schedule a telephonic status conference to discuss further proceedings. Mr. Davis' Motions for Sanctions, dkt. 56 , 83 , is DENIED. SEE ORDEER. Copy sent to Plaintiff via US Mail. Signed by Judge James R. Sweeney II on 3/10/2025. (Attachments: # 1 Motion for Assistance with Recruiting Counsel Form) (JRB) (Entered: 03/10/2025)
03/19/2025	87	TRIAL SETTING AND NOTICE OF FINAL PRETRIAL CONFERENCE - Final Pretrial Conference set for 8/7/2025 at 09:00 AM (Eastern Time) in room #131, United States Courthouse, 921 Ohio Street, Terre Haute, Indiana before Judge James R. Sweeney II. Jury Trial set for 8/25/2025 at 09:00 AM (Eastern Time) in room #131, United States Courthouse, 921 Ohio Street, Terre Haute, Indiana before Judge James R. Sweeney II. Copy sent to plaintiff via Us mail. Signed by Judge James R. Sweeney II on 3/19/2025. (TPS) (Entered: 03/19/2025)
03/19/2025	88	NOTICE of Appearance by Steven Reidell on behalf of Defendants JORDAN ASHBA, CALEB WAINMAN. (Reidell, Steven) (Entered: 03/19/2025)
04/18/2025	89	SCHEDULING ORDER TELEPHONIC SETTLEMENT AND STATUS CONFERENCE HON. MAGISTRATE JUDGE MARK J. DINSMORE - By order dated March 10, 2025, the Court granted the Medical Defendants' motion for summary judgment, and granted in part and denied in part the IDOC Defendants' motion for summary judgment. [Dkt. 86 .] More than 30 days has passed and Mr. Davis has not filed a motion for assistance recruiting counsel. Consequently, the Court assumes that Mr. Davis wishes to proceed in this matter pro se. This matter is scheduled for a telephonic settlement conference on Tuesday, May 6, 2025 at 9:00 a.m. (Eastern), before Magistrate Judge Mark J. Dinsmore. Signed by Magistrate Judge Mark J. Dinsmore on 4/18/2025. (See Order.) Copy mailed to Plaintiff. (BAA) (Entered: 04/18/2025)
04/18/2025	90	ORDER to Make Inmate Available - via Telephone. Warden of New Castle Correctional Facility ordered to make Sonny Davis (#128888) Available - via Telephone for court proceeding on 5/6/2025 at 9:00 AM (Eastern). See Order. Signed by Magistrate Judge Mark J. Dinsmore on 4/18/2025.(Copy to Plaintiff via US Mail.) (LF) (Entered: 04/18/2025)

04/24/2025	92	ORDER TO MAKE INMATE AVAILABLE - You or your designee(s) are ORDERED to make Sonny Davis (#128888) available to participate in a telephonic settlement conference at the time and date specified in this Order. The Court will separately provide the call-in information to Correctional Industrial Facility. Inmate: Sonny Davis #128888 Date: Tuesday, May 6, 2025 Time: 9:00 AM (Eastern) Expected Duration of Court Proceeding: 4-6 hours Any questions or information concerning this Order should be brought to the attention of Judge Dinsmore's Courtroom Deputy at Denise_White@insd.uscourts.gov. Copy to Plaintiff via US mail. Signed by Magistrate Judge Mark J. Dinsmore on 04/24/2025. (AJG) (Main Document 92 replaced on 4/24/2025) (AJG). (Entered: 04/24/2025)
05/06/2025	93	MINUTE ORDER Plaintiff appeared pro se and Defendants appeared by counsel for a settlement conference before Magistrate Judge Mark J. Dinsmore on May 6, 2025. Settlement was not achieved. The parties also appeared for a telephonic Status Conference. See Minute Order for additional information and deadlines. Signed by Magistrate Judge Mark J. Dinsmore. (DLW) (Entered: 05/06/2025)
05/19/2025	94	ORDER - On May 6, 2025, Plaintiff Sonny Davis advised the Court that he wished the Court's assistance in recruiting counsel in this matter, and that he had in his possession a copy of the Court's form Motion for Assistance with Recruiting Counsel. Mr. Davis was instructed to complete and file that form on or before May 13, 2025. The Court has not received said Motion. The Clerk is directed to send Mr. Davis a motion for assistance recruiting counsel with his copy of this Order. Mr. Davis is again instructed to complete and file the Court's form Motion for Assistance with Recruiting Counsel and file that form on or before May 28, 2025. If Mr. Davis does not file the motion as directed, the Court will assume that Mr. Davis wishes to proceed to trial pro se. Copy to Plaintiff via US mail. Signed by Magistrate Judge Mark J. Dinsmore on 05/19/2025. (Attachments: # 1 Assistance With Recruiting Counsel Form) (AJG) (Entered: 05/22/2025)
06/03/2025	95	NOTICE of Change of Address for SONNY DAVIS to CORRECTIONAL INDUSTRIAL FACILITY (CIF). (JRB) (Entered: 06/03/2025)
06/03/2025	96	CONSENT to Prisoner E-Service by SONNY DAVIS located at Correctional Industrial Facility (CIF). Pursuant to General Order 2013-1, documents submitted by SONNY DAVIS to the court for filing will generate a Notice of Electronic Filing that will constitute official service upon registered users of CM/ECF. If any parties to the case are not registered CM/ECF users, the Clerk of the Court will mail the document via U.S. Postal Service on behalf of the inmate. NOTE: The E-Filing Program does not affect the obligation of other parties to serve copies of documents in accordance with the Federal Rules of Civil Procedure. (JRB) (Entered: 06/03/2025)
06/03/2025	97	MOTION for Assistance with Recruiting Counsel, filed by Plaintiff SONNY DAVIS. (Attachments: # 1 Exhibit)(JRB) (Entered: 06/03/2025)
06/06/2025	98	MOTION to Appoint Counsel, filed by Plaintiff SONNY DAVIS. (BAA) (Entered: 06/06/2025)
06/12/2025	99	NOTICE of Substitution of Appearance by Thomas Pratt replacing <i>ERICA SAWYER</i> on behalf of JORDAN ASHBA, CALEB WAINMAN (Pratt, Thomas) (Entered: 06/12/2025)
06/12/2025	100	ORDER GRANTING MOTION FOR ASSISTANCE RECRUITING COUNSEL - Plaintiff's motions for assistance with recruiting counsel, dks. 97 , 98 , are GRANTED to the extent that the Court will attempt to recruit pro bono counsel to represent Plaintiff through final judgment. Signed by Judge James R. Sweeney II on 6/12/2025. (JSR) (Entered: 06/13/2025)

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