

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

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:23-cv-00959-JPH-TAB**

ELLIS v. LAWSON et al
Assigned to: Judge James Patrick Hanlon
Referred to: Magistrate Judge Tim A. Baker
Demand: \$1,500,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 06/01/2023
Jury Demand: Both
Nature of Suit: 555 Prisoner Petitions
- Prison Condition
Jurisdiction: Federal Question

Plaintiff

DEMAJIO JEROME ELLIS

represented by **DEMAJIO JEROME ELLIS**
166596
MIAMI - CF
MIAMI CORRECTIONAL
FACILITY
Inmate Mail/Parcels
3038 West 850 South
Bunker Hill, IN 46914-9810
PRO SE

V.

Defendant

JOSEPH LAWSON
Sergeant

represented by **Brandyn Lee Arnold**
INDIANA ATTORNEY GENERAL
Indiana Government Center South,
5th Floor
302 West Washington St.
Indianapolis, IN 46204-2770
317-232-6201
Fax: 317-232-7979
Email: brandyn.arnold@atg.in.gov
ATTORNEY TO BE NOTICED

David Matthew Price
Office of the Indiana Attorney
General
302 W Washington Street
Ste IGCS 5th Floor
Indianapolis, IN 46204

317-232-5696
Fax: 317-232-7979
Email: david.price@atg.in.gov
ATTORNEY TO BE NOTICED

Defendant

EMMETT SCOTT
Lietanant

represented by **Brandyn Lee Arnold**
(See above for address)
ATTORNEY TO BE NOTICED

David Matthew Price
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

GREGORY COUCH

represented by **Christopher Douglas Cody**
HUME SMITH GEDDES GREEN &
SIMMONS
54 Monument Circle
4th Floor
Indianapolis, IN 46204
(317) 632-4402
Fax: (317) 632-5595
Email: ccody@humesmith.com
ATTORNEY TO BE NOTICED

Georgianna Q. Tutwiler
HUME SMITH GEDDES GREEN &
SIMMONS
54 Monument Circle
4th Floor
Indianapolis, IN 46204
317-632-4402
Fax: 317-632-5595
Email: gquinn@humesmith.com
ATTORNEY TO BE NOTICED

Defendant

CARMEN SAMANIEGO-PUGA

represented by **Brandyn Lee Arnold**
(See above for address)
ATTORNEY TO BE NOTICED

David Matthew Price
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

TRISTAN HARROLD

represented by **Brandyn Lee Arnold**
(See above for address)
ATTORNEY TO BE NOTICED

David Matthew Price
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

BLADE LOONEY

represented by **Brandyn Lee Arnold**
(See above for address)
ATTORNEY TO BE NOTICED

David Matthew Price
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

NATHAN HELLE

represented by **Brandyn Lee Arnold**
(See above for address)
ATTORNEY TO BE NOTICED

David Matthew Price
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

ERIC FONSECA

represented by **Brandyn Lee Arnold**
(See above for address)
ATTORNEY TO BE NOTICED

David Matthew Price
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

JANNA CAREY

represented by **Brandyn Lee Arnold**
(See above for address)
ATTORNEY TO BE NOTICED

David Matthew Price
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**MATTHEW PERRY**

represented by **Brandyn Lee Arnold**
(See above for address)
ATTORNEY TO BE NOTICED

David Matthew Price
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/01/2023	<u>1</u>	CONSENT to Prisoner E-Service by DEMAJO JEROME ELLIS located at Pendleton Correctional Industrial (CIC). Pursuant to General Order 2013-1, documents submitted by DEMAJO JEROME ELLIS 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. (DJH) (Entered: 06/01/2023)
06/01/2023	<u>2</u>	COMPLAINT against COUCH, LAWSON, SCOTT, filed by DEMAJO JEROME ELLIS. (No fee paid with this filing) (Attachments: # <u>1</u> Proposed Summons and USM-285 forms)(DJH) (Entered: 06/01/2023)
06/01/2023	<u>3</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Resident Activity Report)(DJH) (Entered: 06/01/2023)
06/01/2023	<u>4</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 06/01/2023)
06/01/2023	<u>5</u>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (DJH) (Entered: 06/01/2023)
06/02/2023	<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. (JRT) (Entered: 06/02/2023)
06/07/2023	<u>7</u>	ORDER granting <u>3</u> Motion for Leave to Proceed in forma pauperis to the extent that the plaintiff is assessed an initial partial filing fee of Sixty-Three Dollars and Fifty-Seven Cents (\$63.57). The plaintiff shall have through July 7, 2023, in which to pay this sum to the clerk of the district court. SEE ORDER. Signed by Judge James Patrick Hanlon on 6/7/2023. (JRB) (Entered: 06/07/2023)

06/16/2023	<u>8</u>	NOTICE to the Clerk re Remittance Slip for Fee, filed by Plaintiff DEMAJO JEROME ELLIS (TPS) (Entered: 06/16/2023)
07/06/2023	9	RECEIPT #5935 for partial filing fee in the amount of \$63.57, paid by DEMAJO ELLIS. (DJH) (Entered: 07/06/2023)
08/24/2023	<u>10</u>	NOTICE of Change of Address for DEMAJO JEROME ELLIS. Currently located at NEW CASTLE - CF (Previously located at PENDLETON - CORRECTIONAL INDUSTRIAL FACILITY). DEMAJO JEROME ELLIS is no longer participating in E-Service. (Attachments: # <u>1</u> Envelope) (TPS) (Entered: 08/25/2023)
09/01/2023	<u>11</u>	NOTICE of Change of Address for DEMAJO JEROME ELLIS. (Address already updated on Docket to NEW CASTLE - CF.) (Attachments: # <u>1</u> Envelope) (KAA) (Entered: 09/05/2023)
09/05/2023	<u>12</u>	ORDER Directing Monthly Payments be made from Prison Account of DEMAJO JEROME ELLIS, 166596. As of the issuance of this Order, the balance of the filing fee still due in this case is \$286.43. See Order for details. Signed by Magistrate Judge Tim A. Baker on 9/5/2023 (Copies mailed per distribution list).(LBT) (Entered: 09/05/2023)
09/08/2023	<u>13</u>	ORDER Screening Complaint and Directing Further Proceedings - An Eighth Amendment conditions-of-confinement claim under Section 1983 shall proceed against the defendants. This is the only claim identified by the Court. If Mr. Ellis believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have through October 6, 2023, in which to identify those claims. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants Sgt. Lawson, Lt. Scott, and Mr. Couch in the manner specified by Rule 4(d). Process shall consist of the complaint, dkt. <u>2</u> , applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. The clerk is directed to serve the Indiana Department of Correction employees electronically. See Order for details. Signed by Judge James Patrick Hanlon on 9/8/2023 (Copies mailed to Plaintiff, Mr. Couch and Christopher Cody).(LBT) (Entered: 09/08/2023)
09/08/2023	<u>14</u>	NOTICE of Lawsuit & Waiver Issued by Clerk to Sgt. Lawson, Lt. Scott, and Mr. Couch. (LBT) (Entered: 09/08/2023)
09/08/2023	<u>15</u>	Documents to be Sent via Electronic Notice - re <u>13</u> Order, <u>14</u> NOTICE of Lawsuit & Waiver Issued by Clerk, <u>2</u> Complaint. Electronic Notice to IDOC. (LBT) (Entered: 09/08/2023)
09/14/2023	<u>16</u>	Correspondence REQUESTING COPY of Case Docket Sheet, filed by Plaintiff. Copy provided via US Mail. (Attachments: # <u>1</u> Envelope, # <u>2</u> Docket Sheet) (CW) (Entered: 09/20/2023)
09/27/2023	<u>17</u>	MOTION for Leave to Amend Complaint, filed by Plaintiff DEMAJO

		JEROME ELLIS. (Attachments: # 1 Exhibit Proposed Amended Complaint with Exhibits, # 2 Envelope) (JSR) (Entered: 09/28/2023)
10/10/2023	18	NOTICE of Appearance by Christopher Douglas Cody on behalf of Defendant COUCH. (Cody, Christopher) (Entered: 10/10/2023)
10/10/2023	19	WAIVER OF SERVICE Returned Executed, filed by COUCH. COUCH waiver sent on 9/8/2023. (Cody, Christopher) (Entered: 10/10/2023)
10/10/2023	20	NOTICE of Appearance by Georgianna Q. Tutwiler on behalf of Defendant COUCH. (Tutwiler, Georgianna) (Entered: 10/10/2023)
10/11/2023	21	NOTICE of Appearance by Stephanie Michelle Davis on behalf of Defendants LAWSON, SCOTT. (Davis, Stephanie) (Entered: 10/11/2023)
10/11/2023	22	WAIVER OF SERVICE Returned Executed, filed by SCOTT, LAWSON. SCOTT waiver sent on 9/8/2023; LAWSON waiver sent on 9/8/2023. (Davis, Stephanie) (Entered: 10/11/2023)
10/12/2023	23	NOTICE of Appearance by Brandyn Lee Arnold on behalf of Defendants LAWSON, SCOTT. (Arnold, Brandyn) (Entered: 10/12/2023)
11/06/2023	24	ANSWER to 2 Complaint , <i>AFFIRMATIVE DEFENSES, AND DEMAND FOR JURY TRIAL</i> , filed by LAWSON, SCOTT.(Davis, Stephanie) (Entered: 11/06/2023)
11/07/2023	25	ANSWER to 2 Complaint , filed by COUCH.(Tutwiler, Georgianna) (Entered: 11/07/2023)
11/14/2023	26	RECEIPT #7760 for Partial Filing fee in the amount of \$1.99, paid by DEMAJO J. ELLIS. (CCG) (Entered: 11/14/2023)
12/07/2023	27	RECEIPT #8099 for partial filing fee in the amount of \$82.58, paid by DEMAJO JEROME ELLIS. (DJH) (Entered: 12/07/2023)
12/12/2023	28	ORDER SCREENING AMENDED COMPLAINT AND DIRECTING FURTHER PROCEEDINGS - After the Court screened Mr. Ellis' complaint, he filed a motion for leave to amend his complaint. Dkt. 17. That motion, dkt. 17 , is granted, and the Court proceeds to screen the amended complaint. The clerk is directed to add (1) Officer Samaniego, (2) Officer Harold, (3) Officer Loonie, (4) Officer Helly, (5) Counselor Fonseca; (6) Officer Carey; (7) Nurse Tina; (8) Nurse Richey; (9) Nurse Shannon; (10) Nurse Andrea; (11) Officer Ross; and (12) Sgt. Perry as defendants on the docket. The clerk is also directed to docket the proposed amended complaint at dkt. [17-1] as the amended complaint in this action. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants (1) Officer Samaniego; (2) Officer Harold; (3) Officer Loonie; (4) Officer Helly; (5) Counselor Fonseca; (6) Officer Carey; (7) Nurse Tina; (8) Nurse Richey; (9) Nurse Shannon; (10) Nurse Andrea; (11) Officer Ross; and (12) Sgt. Perry in the manner specified by Rule 4(d).

		Process shall consist of the amended complaint, dkt. [17-1], applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. The clerk is directed to serve the Indiana Department of Correction and Centurion employees electronically. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Judge James Patrick Hanlon on 12/12/2023. (JRB) (Entered: 12/13/2023)
12/12/2023	<u>29</u>	AMENDED COMPLAINT against COUCH, LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, TINA, RICHEY, SHANNON, ANDREA, ROSS, PERRY, filed by DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope)(JRB) (Entered: 12/13/2023)
12/12/2023	<u>30</u>	NOTICE of Lawsuit & Waiver Issued by Clerk as to (1) Officer Samaniego; (2) Officer Harold; (3) Officer Loonie; (4) Officer Helly; (5) Counselor Fonseca; (6) Officer Carey; (7) Nurse Tina; (8) Nurse Richey; (9) Nurse Shannon; (10) Nurse Andrea; (11) Officer Ross; and (12) Sgt. Perry. (JRB) (Entered: 12/13/2023)
12/12/2023	<u>31</u>	Documents to be Sent via Electronic Notice - re <u>29</u> Amended Complaint, <u>28</u> Order on Motion for Leave to File, <u>30</u> NOTICE of Lawsuit & Waiver Issued by Clerk Electronic Notice to IDOC and Centurion. (JRB) (Entered: 12/13/2023)
12/18/2023	<u>32</u>	NOTICE of Appearance by Travis W. Montgomery on behalf of Defendants ANDREA, RICHEY, SHANNON, TINA. (Montgomery, Travis) (Entered: 12/18/2023)
12/18/2023	<u>33</u>	WAIVER OF SERVICE Returned Executed, filed by ANDREA, TINA, RICHEY, SHANNON. ANDREA waiver sent on 12/12/2023; TINA waiver sent on 12/12/2023; RICHEY waiver sent on 12/12/2023; SHANNON waiver sent on 12/12/2023. (Montgomery, Travis) (Entered: 12/18/2023)
12/18/2023	<u>34</u>	NOTICE of Appearance by Jeb Adam Crandall on behalf of Defendants ANDREA, RICHEY, SHANNON, TINA. (Crandall, Jeb) (Entered: 12/18/2023)
12/27/2023	<u>35</u>	ANSWER to <u>29</u> Amended Complaint , filed by COUCH.(Tutwiler, Georgianna) (Entered: 12/27/2023)
01/10/2024	39	RECEIPT #8571 for partial filing fee in the amount of \$3.68, paid by DEMAJO JEROME ELLIS. (DJH) (Entered: 01/11/2024)
01/11/2024	<u>36</u>	NOTICE of Appearance by Stephanie Michelle Davis on behalf of Defendants CAREY, FONSECA, HAROLD, HELLY, LOONIE, PERRY, ROSS, SAMANIEGO. (Davis, Stephanie) (Entered: 01/11/2024)

01/11/2024	37	WAIVER OF SERVICE Returned Executed, filed by LOONIE, SAMANIEGO, HAROLD, ROSS, FONSECA, CAREY, HELLY, PERRY. LOONIE waiver sent on 12/12/2023; SAMANIEGO waiver sent on 12/12/2023; HAROLD waiver sent on 12/12/2023; ROSS waiver sent on 12/12/2023; FONSECA waiver sent on 12/12/2023; CAREY waiver sent on 12/12/2023; HELLY waiver sent on 12/12/2023; PERRY waiver sent on 12/12/2023. (Davis, Stephanie) (Entered: 01/11/2024)
01/11/2024	38	NOTICE of Appearance by Brandyn Lee Arnold on behalf of Defendants CAREY, FONSECA, HAROLD, HELLY, LOONIE, PERRY, ROSS, SAMANIEGO. (Arnold, Brandyn) (Entered: 01/11/2024)
02/09/2024	40	ANSWER to 29 Amended Complaint , filed by CAREY, FONSECA, HAROLD, HELLY, LOONIE, PERRY, ROSS, SAMANIEGO.(Davis, Stephanie) (Entered: 02/09/2024)
02/09/2024	41	RECEIPT #8964 for partial filing fee in the amount of \$17.90, paid by DEMAJO JEROME ELLIS. (DJH) (Entered: 02/09/2024)
02/12/2024	42	<i>Centurion Defendants'</i> ANSWER to 29 Amended Complaint , filed by ANDREA, RICHEY, SHANNON, TINA.(Montgomery, Travis) (Entered: 02/12/2024)
02/13/2024	43	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 9/13/2024. Discovery due by 8/13/2024. Copy to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 2/13/2024.(SWM) (Entered: 02/13/2024)
02/23/2024	44	MOTION for Screening of Amended Complaint, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(AAS) (Entered: 02/27/2024)
02/28/2024	45	ORDER GRANTING MOTION FOR COPY OF SCREENING ORDER - Plaintiff's motion for a copy of the Order Screening Amended Complaint, dkt. 44 , is granted. The clerk is directed to send Plaintiff a copy of the Screening Order at docket 28 . Copies to plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 2/28/2024. (Attachments: # 1 Dkt. 28 Screening Order) (KAA) (Entered: 02/29/2024)
03/06/2024	46	NOTICE Regarding Settlement Conference, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope) (LF) (Entered: 03/08/2024)
03/25/2024	47	RECEIPT #9620 for Partial Filing fee in the amount of \$7.39, paid by

		DEMAJIO J. ELLIS. (CCG) (Entered: 03/25/2024)
04/08/2024	48	RECEIPT #9808 for partial filing fee in the amount of \$4.33, paid by DEMAJIO JEROME ELLIS. (DJH) (Entered: 04/08/2024)
04/15/2024	49	NOTICE of Service of Initial Disclosures , filed by Defendants CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT. (Davis, Stephanie) (Entered: 04/15/2024)
04/15/2024	50	NOTICE of Service of Initial Disclosures , filed by Defendants ANDREA, RICHEY, SHANNON, TINA. (Montgomery, Travis) (Entered: 04/15/2024)
04/29/2024	51	RECEIPT #10087 for partial filing fee in the amount of \$168.56, paid by DEMAJIO JEROME ELLIS. (DJH) (Entered: 04/29/2024)
05/08/2024	52	NOTICE of Future Address Change, filed by Plaintiff DEMAJIO JEROME ELLIS. (Attachments: # 1 Envelope) (AJG) (Entered: 05/10/2024)
06/04/2024	53	MOTION for Extension of Time to 07/04/2024 <i>to Respond to Plaintiff's Interrogatories</i> , filed by Defendants CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT. (Attachments: # 1 Text of Proposed Order Order Granting Motion for Extension of Time to Respond to Plaintiff's Interrogatories)(Davis, Stephanie) (Entered: 06/04/2024)
06/10/2024	54	ORDER granting 53 State Defendants' motion to extend the deadline to respond to Plaintiff's first set of interrogatories to the extent that the State Defendants shall have up to and including July 5, 2024, to respond to Plaintiff's first set of interrogatories to them. Copy to plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 6/10/2024. (KAA) (Entered: 06/10/2024)
06/12/2024	56	First NOTICE of Attempt to Compel Response, filed by Plaintiff DEMAJIO JEROME ELLIS (Attachments: # 1 Envelope) (AAS) (Entered: 06/14/2024)
06/12/2024	57	Second NOTICE of Attempt to Compel Response, filed by Plaintiff DEMAJIO JEROME ELLIS (Attachments: # 1 Envelope) (AAS) (Entered: 06/14/2024)
06/12/2024	58	Third NOTICE of Attempt to Compel Response, filed by Plaintiff DEMAJIO JEROME ELLIS (Attachments: # 1 Envelope) (AAS) (Entered: 06/14/2024)
06/13/2024	55	NOTICE of Service of Expert Witness Disclosures, filed by Defendants ANDREA, RICHEY, SHANNON, TINA (Montgomery, Travis) (Entered: 06/13/2024)

06/20/2024	59	MOTION to Compel, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(LBT) (Entered: 06/26/2024)
06/26/2024	60	NOTICE OF STATE DEFENDANTS COMPLIANCE WITH DISCOVERY, filed by Defendants CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT, re 57 Notice (Other), 59 MOTION to Compel. (Davis, Stephanie) (Entered: 06/26/2024)
07/02/2024	61	Second MOTION for Extension of Time to 08/04/2024 <i>TO RESPOND TO PLAINTIFFS INTERROGATORIES</i> , filed by Defendants HAROLD, HELLY, SAMANIEGO. (Attachments: # 1 Text of Proposed Order Order Granting State Defendants' Motion for Extension of Time to Respond to Plaintiff's Interrogatories)(Davis, Stephanie) (Entered: 07/02/2024)
07/08/2024	65	NOTICE to the Court, filed by Plaintiff DEMAJO JEROME ELLIS (Attachments: # 1 Envelope) (JRB) (Entered: 07/12/2024)
07/08/2024	66	MOTION to Compel, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(JRB) (Entered: 07/12/2024)
07/10/2024	62	ORDER: Pending before the Court is Plaintiff's "Notice and Attempt to Compel Correctional Defendants to Response to Plaintiff First Set of Request for Production." Dkt. 59. The motion, dkt. 59 , is denied as unnecessary. Plaintiff is not seeking relief from the Court but rather warning Defendants that he will file a motion to compel if they do not timely respond to his discovery requests. Going forward, Plaintiff should not file correspondence or other discovery-related documents with the Court unless they are filed in support of or opposition to a motion, or as otherwise directed by the Court. See dkt. 43 at 5. If Plaintiff files such correspondence with the Court in the future, it may be summarily stricken. See Order. Signed by Magistrate Judge Tim A. Baker on 7/10/2024.(Copy mailed to Plaintiff.) (LF) (Entered: 07/11/2024)
07/10/2024	63	ORDER: Defendants, Tristan Harrold, Nathan Helle, and Carmen Samaniego-Puga, filed a Motion for Extension of Time to Respond to Plaintiff's Interrogatories. The Court, having considered the Motion and being duly advised in the premises, now GRANTS said Motion, dkt. 61 . The deadline to respond to Plaintiff's Interrogatories is extended by 30-days, up to and including August 4, 2024. See Order. Signed by Magistrate Judge Tim A. Baker on 7/10/2024.(Copy mailed to Plaintiff.) (LF) (Entered: 07/11/2024)
07/11/2024	64	NOTICE REGARDING SETTLEMENT CONFERENCE, filed by Defendants CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT, re 43 Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation. (Davis, Stephanie) (Entered: 07/11/2024)

07/15/2024	67	NOTICE <i>Regarding Settlement Conference</i> , filed by Defendants ANDREA, RICHEY, SHANNON, TINA (Montgomery, Travis) (Entered: 07/15/2024)
07/15/2024	68	NOTICE <i>Regarding Settlement Conference</i> , filed by Defendant COUCH (Tutwiler, Georgianna) (Entered: 07/15/2024)
07/18/2024	69	MOTION for Court Order, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(AAS) (Entered: 07/19/2024)
07/23/2024	70	ORDER PROVIDING NOTICE OF SATISFACTION OF FILING FEE - The Court's records reflect that the plaintiff has paid the full district court filing fee in this action. copy of this Notice shall be distributed to the plaintiff's custodian. SEE ORDER. Copy sent to distribution list via US Mail. Signed by Magistrate Judge Tim A. Baker on 7/23/2024.(JRB) (Entered: 07/23/2024)
07/23/2024	71	ORDER - 69 Motion to compel Defendant Samaniego to respond to his interrogatories is DENIED as premature. Ms. Samaniego's deadline for responding to his interrogatories has not yet passed. See dkt. 63 (extending deadline to answer interrogatories to August 4, 2024). Signed by Magistrate Judge Tim A. Baker on 7/23/2024 (Copy mailed to Plaintiff). (LBT) (Entered: 07/23/2024)
08/12/2024	72	RECEIPT #11659 for partial filing fee in the amount of \$14.00, paid by EDWARD M. PARTLOW. (DJH) (Entered: 08/13/2024)
08/21/2024	73	MOTION for Court to Set Telephonic Conference, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope) (JSR) (Entered: 08/21/2024)
08/21/2024	74	***PLEASE DISREGARD. DOCKETED IN ERROR.*** Second MOTION for Court to Set Telephonic Conference, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope) (JSR) Modified on 8/22/2024 (JSR). (Entered: 08/21/2024)
08/23/2024	75	MOTION for Subpoena Duces Tecum to Non-Party, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(TPS) (Entered: 08/23/2024)
09/06/2024	76	RESPONSE in Opposition re 75 MOTION <i>to Plaintiff's Request for Subpoena Duces Tecum to a Non-Party</i> , filed by Defendants CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT. (Davis, Stephanie) (Entered: 09/06/2024)
09/09/2024	77	MOTION for Extension of Time to September 27, 2024, <i>to File Motions for Summary Judgment</i> , filed by Defendants ANDREA, RICHEY, SHANNON, TINA. (Attachments: # 1 Text of Proposed Order)(Montgomery, Travis) (Entered: 09/09/2024)

09/12/2024	78	ORDER - The motion to compel, dkt. 66 , is granted to the extent set forth in Section I. The motion for a telephonic conference, dkt. 73 , is denied as moot. The motion to issue a subpoena to the IDOC, dkt. 75 , is denied. The motion to extend the summary judgment deadline, dkt. 77 , is granted to the extent set forth in Section IV. Dispositive Motions due by 10/15/2024. See Order. Signed by Magistrate Judge Tim A. Baker on 9/12/2024. (Copy to plaintiff via US Mail) (KAA) (Entered: 09/12/2024)
09/16/2024	79	NOTICE of State Defendants' Compliance with Dkt. 78, filed by Defendants CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT, re 78 Order on Motion to Compel Order on Motion for Extension of Time to File Scheduling. (Davis, Stephanie) (Entered: 09/16/2024)
09/26/2024	80	NOTICE re Court Filing , filed by Defendants ANDREA, RICHEY, SHANNON, TINA, re 78 Order on Motion to Compel Order on Motion for Extension of Time to File Scheduling. (Montgomery, Travis) Modified on 9/30/2024 (CKM). (Entered: 09/26/2024)
09/27/2024	81	MOTION to Reconsider Subpoena Video Evidence, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(JRB) (Entered: 09/30/2024)
10/10/2024	82	RESPONSE in Opposition re 81 MOTION to Reconsider Subpoena Video Evidence, filed by Defendants CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT. (Attachments: # 1 Exhibit Ex. A - Video Log)(Davis, Stephanie) (Entered: 10/10/2024)
10/10/2024	83	ORDER denying 81 Motion - On September 12, 2024, the Court denied Plaintiff Demajo Ellis's motion requesting a subpoena so that he could request video evidence from the Indiana Department of Correction ("IDOC"). Dkt. 78. The Court reasoned that Plaintiff had not even mailed his motion to the Court until after discovery closed, which was more than a month after the deadline for serving written discovery requests, and that he had not explained why he could not have timely requested the subpoena. Accordingly, the motion to reconsider, dkt. 81 , is denied. (See Order.) Copy to Plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 10/10/2024. (AJG) (Entered: 10/10/2024)
10/15/2024	84	MOTION for Extension of Time to October 22, 2024 , filed by Defendant COUCH. (Attachments: # 1 Text of Proposed Order)(Tutwiler, Georgianna) (Entered: 10/15/2024)
10/15/2024	85	MOTION for Extension of Time to 10/22/2024 to File Dispositive Motion, filed by Defendants LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, ROSS, PERRY. (Attachments: # 1 Text of Proposed Order Proposed Order granting MEOT)(Davis,

		Stephanie) (Entered: 10/15/2024)
10/15/2024	<u>86</u>	MOTION for Joinder , filed by Defendants TINA, RICHEY, SHANNON, ANDREA. (Attachments: # <u>1</u> Text of Proposed Order)(Montgomery, Travis) (Entered: 10/15/2024)
10/22/2024	<u>87</u>	MOTION for Summary Judgment , filed by Defendant COUCH. (Tutwiler, Georgianna) (Entered: 10/22/2024)
10/22/2024	<u>88</u>	NOTICE of Manual Filing re <u>87</u> MOTION for Summary Judgment , filed by COUCH (Tutwiler, Georgianna) (Entered: 10/22/2024)
10/22/2024	<u>89</u>	NOTICE of <i>Right to Respond</i> , filed by Defendant COUCH, re <u>87</u> MOTION for Summary Judgment . (Attachments: # <u>1</u> Exhibit FRCP 56 and S.D. Local Rule 56-1) (Tutwiler, Georgianna) (Entered: 10/22/2024)
10/22/2024	<u>90</u>	Designation of Evidence re <u>87</u> MOTION for Summary Judgment , filed by Defendant COUCH. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Tutwiler, Georgianna) (Entered: 10/22/2024)
10/22/2024	<u>91</u>	MOTION for Summary Judgment , filed by Defendants LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, ROSS, PERRY. (Davis, Stephanie) (Entered: 10/22/2024)
10/22/2024	<u>92</u>	BRIEF/MEMORANDUM in Support re <u>91</u> MOTION for Summary Judgment , filed by Defendants LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, ROSS, PERRY. (Davis, Stephanie) (Entered: 10/22/2024)
10/22/2024	<u>93</u>	Designation of Evidence re <u>91</u> MOTION for Summary Judgment , filed by Defendants LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, ROSS, PERRY. (Attachments: # <u>1</u> Exhibit B. State Defendant Joseph Lawsons Interrogatory Responses, # <u>2</u> Exhibit C. State Defendant Kaylee Ross Interrogatory Responses, # <u>3</u> Exhibit D. State Defendant Eric Fonseca Interrogatory Responses, # <u>4</u> Exhibit E. State Defendant Blade Looney Interrogatory Responses, # <u>5</u> Exhibit F. State Defendant Janna Carey Interrogatory Responses)(Davis, Stephanie) (Entered: 10/22/2024)
10/22/2024	<u>94</u>	NOTICE <i>Regarding Right to Respond to and Submit Evidence In Opposition</i> , filed by Defendants LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, ROSS, PERRY (Davis, Stephanie) (Entered: 10/22/2024)
10/22/2024	<u>95</u>	NOTICE of Manual Filing re <u>91</u> MOTION for Summary Judgment , filed by LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, ROSS, PERRY (Davis, Stephanie) (Entered: 10/22/2024)
10/22/2024	<u>96</u>	BRIEF/MEMORANDUM in Support re <u>87</u> MOTION for Summary

		Judgment , filed by Defendant COUCH. (Tutwiler, Georgianna) (Entered: 10/22/2024)
10/22/2024	<u>97</u>	MOTION for Summary Judgment , filed by Defendants TINA, RICHEY, SHANNON, ANDREA. (Attachments: # <u>1</u> Text of Proposed Order)(Montgomery, Travis) (Entered: 10/22/2024)
10/22/2024	<u>98</u>	Designation of Evidence re <u>97</u> MOTION for Summary Judgment , filed by Defendants TINA, RICHEY, SHANNON, ANDREA. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Montgomery, Travis) (Entered: 10/22/2024)
10/22/2024	<u>99</u>	BRIEF/MEMORANDUM in Support re <u>97</u> MOTION for Summary Judgment , filed by Defendants TINA, RICHEY, SHANNON, ANDREA. (Montgomery, Travis) (Entered: 10/22/2024)
10/22/2024	<u>100</u>	NOTICE <i>Regarding Plaintiff's Right to Respond and Submit Evidence in Opposition</i> , filed by Defendants TINA, RICHEY, SHANNON, ANDREA, re <u>97</u> MOTION for Summary Judgment , <u>99</u> Brief/Memorandum in Support, <u>98</u> Designation of Evidence. (Montgomery, Travis) (Entered: 10/22/2024)
10/24/2024	<u>101</u>	Receipt of one flash drive in Indianapolis Division re <u>88</u> NOTICE of Manual Filing . File folder made. (Attachments: # <u>1</u> copy of Notice of Manual Filing (88)) (DJH) (Entered: 10/24/2024)
10/28/2024	<u>102</u>	ORDER - Defendants' motions to extend the summary judgment deadline, dkts. <u>84</u> , <u>85</u> , and <u>86</u> , are granted to the extent that the Court considers their summary judgment motions, dkts. <u>87</u> , <u>91</u> , and <u>97</u> , to be timely filed. Copy to Plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 10/28/2024. (AJG) (Entered: 10/28/2024)
11/01/2024	<u>103</u>	MOTION and Notice to file One Joint Response to Defendants Motion for Summary Judgment, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope, # <u>2</u> Additional Copy)(AJG) (Entered: 11/04/2024)
11/08/2024	<u>104</u>	ORDER - There are currently three summary judgment motions pending that were filed by three different sets of defendants. Dkts. <u>87</u> , <u>91</u> , <u>97</u> . Plaintiff now requests permission to file a single, joint response to those motions. Dkt. <u>103</u> . His motion, dkt. <u>103</u> , is granted to the extent that he may file a single, joint response to the three pending summary judgment motions. Any brief in support of that response must not exceed 30 pages. Signed by Magistrate Judge Tim A. Baker on 11/8/2024. Copy to Plaintiff via US Mail. (AAS) (Entered: 11/08/2024)
11/08/2024	<u>106</u>	Receipt of one CD received in Indianapolis Division re <u>95</u> NOTICE of Manual Filing re <u>91</u> MOTION for Summary Judgment , filed by LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, ROSS, PERRY (Davis, Stephanie) (Attachments: #

		1 Notice of Manual Filing, # 2 Envelope) (CCG) (Entered: 11/18/2024)
11/14/2024	105	RESPONSE to 97 MOTION for Summary Judgment, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S, # 20 Exhibit T, # 21 Exhibit U, # 22 Index of Exhibits, # 23 Envelope)(TPS) (Entered: 11/14/2024)
11/26/2024	107	Joint MOTION for Extension of Time to File Reply to December 11, 2024 re 97 MOTION for Summary Judgment , 91 MOTION for Summary Judgment , 87 MOTION for Summary Judgment , filed by Defendant COUCH. (Attachments: # 1 Text of Proposed Order)(Tutwiler, Georgianna) (Entered: 11/26/2024)
11/27/2024	108	ORDER GRANTING MOTION FOR EXTENSION OF TIME - Defendants' motion for extension of time to file replies in support of their motions for summary judgment, dkt. 107 , is granted. They have through December 11, 2024, to file their replies. Signed by Magistrate Judge Tim A. Baker on 11/27/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 11/27/2024)
12/09/2024	109	Correspondence REQUESTING COPY of Case Docket Sheet, filed by DEMAJO JEROME ELLIS. Copy/Copies provided via US Mail. (Attachments: # 1 Public Docket Sheet) (TPS) (Entered: 12/10/2024)
12/11/2024	110	REPLY in Support of Motion re 91 MOTION for Summary Judgment , filed by Defendants LAWSON, SCOTT, SAMANIEGO, HAROLD, LOONIE, HELLY, FONSECA, CAREY, ROSS, PERRY. (Davis, Stephanie) (Entered: 12/11/2024)
12/11/2024	111	REPLY in Support of Motion re 97 MOTION for Summary Judgment , filed by Defendants TINA, RICHEY, SHANNON, ANDREA. (Montgomery, Travis) (Entered: 12/11/2024)
12/11/2024	112	REPLY in Support of Motion re 87 MOTION for Summary Judgment , filed by Defendant COUCH. (Tutwiler, Georgianna) (Entered: 12/11/2024)
12/13/2024	113	MOTION for Extension of Time to File Surreply re 112 Reply in Support of Motion, 110 Reply in Support of Motion, 111 Reply in Support of Motion, filed by Plaintiff DEMAJO JEROME ELLIS. (LBT) (Entered: 12/16/2024)
01/02/2025	114	ORDER denying 113 Motion for Extension of Time to File Surreply. Plaintiff's motion is denied because Plaintiff has not shown Defendants' reply briefs cite to new evidence or object to evidence cited in the response. Copy sent to plaintiff via US mail. Signed by Magistrate Judge

		Tim A. Baker on 1/2/2025. (TPS) (Entered: 01/02/2025)
04/21/2025	115	NOTICE of Substitution of Appearance by Abigail Davis replacing <i>Stephanie M. Davis</i> on behalf of CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT (Davis, Abigail) (Entered: 04/21/2025)
04/28/2025	116	NOTICE to Court of Facility Transfer - new address not yet known filed by Plaintiff DEMAJO ELLIS. (DWH) (Entered: 04/29/2025)
05/22/2025	117	CONSENT to Prisoner E-Service by DEMAJO JEROME ELLIS located at MIAMI CF. Pursuant to General Order 2013-1, documents submitted by DEMAJO JEROME ELLIS 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. (BAA) (Entered: 05/22/2025)
05/27/2025	119	MOTION to Appoint Counsel and for Copies, filed by Plaintiff DEMAJO JEROME ELLIS. (LBT) (Entered: 05/28/2025)
05/28/2025	118	NOTICE of Change of Address for DEMAJO JEROME ELLIS filed as previously submitted Consent to E-Service. (LBT) (Entered: 05/28/2025)
05/31/2025	120	Correspondence REQUESTING COPY of Case Docket Sheet, filed by Demajio Ellis. (Attachments: # 1 Public Docket Sheet) (AAS) (Entered: 06/02/2025)
07/14/2025	121	NOTICE of Substitution of Appearance by David Matthew Price replacing <i>Abigail Davis</i> on behalf of CAREY, FONSECA, HAROLD, HELLY, LAWSON, LOONIE, PERRY, ROSS, SAMANIEGO, SCOTT (Price, David) (Entered: 07/14/2025)
09/17/2025	122	ORDER GRANTING MEDICAL DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT, DENYING DEFENDANT COUCH'S MOTION FOR SUMMARY JUDGMENT, AND GRANTING IN PART AND DENYING IN PART STATE DEFENDANTS' MOTION FOR SUMMARY JUDGMENT - Medical Defendants' motion for summary judgment, dkt. 97 , is granted. Mr. Couch's motion for summary judgment, dkt. 87 , is denied. State Defendants' motion for summary judgment, dkt. 91 , is granted as to all claims against Kaylee Ross, granted as to the retaliation claim against Carmen Samaniego-Puga, and denied as to the Eighth Amendment conditions-of-confinement claims. The clerk is directed to terminate defendants Nurse Tina, Nurse Richey, Nurse Shannon, Nurse Andrea, and Officer Ross. The Court prefers that Mr. Ellis

		be represented by counsel for the remainder of this action. Mr. Ellis's pending motion for counsel, dkt. 119 , is denied without prejudice because it is not on the form prepared by this Court that has important conditions for the recruitment of counsel. The clerk is directed to send Mr. Ellis a motion for assistance recruiting counsel with his copy of this Order. He has 21 days to renew his request for counsel by filing 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. SEE ORDER. Signed by Judge James Patrick Hanlon on 9/17/2025. (Attachments: # 1 Motion for Counsel Form) (KAA) (Entered: 09/17/2025)
09/19/2025	123	MOTION to Appoint Counsel, filed by Plaintiff DEMAJO JEROME ELLIS. (SAM) (Entered: 09/19/2025)
09/19/2025	124	NOTICE to the Court Regarding Request for Counsel, filed by Plaintiff DEMAJO JEROME ELLIS (SAM) (Entered: 09/19/2025)
09/19/2025	125	Correspondence REQUESTING COPY of Case Docket Sheet, filed by DEMAJO JEROME ELLIS. (Attachments: # 1 Public Docket Sheet) (SAM) (Entered: 09/19/2025)
09/19/2025	126	MOTION for Court to Use Record Exhibits for Trial and Conference, filed by Plaintiff DEMAJO JEROME ELLIS. (BAA) (Entered: 09/19/2025)
09/22/2025	127	ORDER - Plaintiff's motion for counsel, dkt. 123 , is granted to the extent that the Court will attempt to recruit counsel to assist Plaintiff through final judgment. Plaintiff's motion for court to use record exhibits for trial and settlement conference, dkt. 126 , is denied without prejudice in light of the fact that the Court is recruiting counsel to represent Plaintiff. Finally, the clerk is directed to update the defendants' names on the docket to: Sergeant Joseph Lawson, Lieutenant Emmett Scott, Gregory Couch, Carmen Samaniego-Puga, Tristan Harrold, Blade Looney, Nathan Helle, Eric Fonseca, Janna Carey, and Matthew Perry. Signed by Judge James Patrick Hanlon on 09/22/2025. (AAS) (Entered: 09/22/2025)

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