

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

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:24-cv-00515-JPH-TAB**

ELLIS v. FONSECA et al
Assigned to: Judge James Patrick Hanlon
Referred to: Magistrate Judge Tim A. Baker
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/19/2024
Jury Demand: Plaintiff
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

BRENNAN RITCHIE
*Officer, Clerk's Entry of Default entered on
3/24/2026*

represented by **BRENNAN RITCHIE**
.
PRO SE

Defendant

KIDD
MS.

represented by **Joseph Thomas Lipps**
BBFCS ATTORNEYS
27 North 8th Street
Richmond, IN 47374
(765) 962-7527
Fax: (765) 966-4597
Email: jlipps@bbfcslaw.com
ATTORNEY TO BE NOTICED

Defendant

TEBO
CAPTAIN

represented by **Joseph Thomas Lipps**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

SEVIER
MR. WARDEN

represented by **Joseph Thomas Lipps**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

CECIL
MS.
represented by **Joseph Thomas Lipps**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

FRENCH
MS. ASSISTANT WARDEN
represented by **Joseph Thomas Lipps**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

GILBERT
MR. SERGEANT
represented by **Joseph Thomas Lipps**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

EVAN BROWN
Sgt., Clerk's Entry of Default entered on 3/24/2026
represented by **EVAN BROWN**
.
PRO SE

Date Filed	#	Docket Text
03/19/2024	1	COMPLAINT against CHAD EVANS, FONSECA, JACK HENDRIX, filed by DEMAJO JEROME ELLIS. (No fee paid with this filing) (Attachments: # 1 Exhibits including Classification Appeal records, Offender Grievance records, Grievance Appeal, Proposed Summons, Proposed USM-285 forms, # 2 Envelope)(DJH) (Entered: 03/20/2024)
03/19/2024	2	MOTION Requesting Service of Process by the United States Marshal Service, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(DJH) (Entered: 03/20/2024)
03/19/2024	3	MOTION for Extension of Time Of 60 Days To Send Court The Full Filing Fee Along With The Fee For U.S. Marshall To Serve The Defendants, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(DJH) (Entered: 03/20/2024)
03/20/2024	4	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 03/20/2024)
03/20/2024	5	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (DJH) (Entered: 03/20/2024)
03/22/2024	6	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 to plaintiff by U.S. Mail. (MEH) (Entered: 03/22/2024)
04/05/2024	7	ORDER denying as premature Plaintiff's [2] Motion for Court assistance asking the Court to have the U.S. Marshals serve Defendants under Federal Rule of Civil Procedure - Because Plaintiff is incarcerated, the Court must screen his complaint before it is served on Defendants. See 28 U.S.C. § 1915A(a), (c). If any of Plaintiff's claims survive screening, the Court will issue appropriate orders related to service of Defendants. Plaintiff's motion for extension of time to pay the filing fee for this case, dkt. [3], is granted. He shall have up to and including May 20, 2024, to pay the \$405.00 filing fee for this case. Copy to Plaintiff via US Mail. Signed by Magistrate Judge M. Kendra Klump on 4/5/2024. (SWM) (Entered: 04/05/2024)
04/10/2024	8	CONSENT to Jurisdiction to US Magistrate Judge by DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope)(DWH) (Main Document 8 replaced on 4/10/2024) (DWH). (Entered: 04/10/2024)
04/19/2024	9	RECEIPT #9986 for partial filing fee in the amount of \$405.00, paid by DEMAJO JEROME ELLIS. (DJH) (Entered: 04/19/2024)
04/19/2024	10	Letter Received with Payment from DEMAJO JEROME ELLIS. (Attachments: # 1 Envelope) (JSR) (Entered: 04/23/2024)

04/25/2024	<u>11</u>	MOTION to Amend Complaint, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Amended Complaint, # <u>2</u> Envelope)(KAA) (Entered: 04/26/2024)
04/25/2024	<u>12</u>	MOTION for Temporary Restraining Order and for Preliminary Injunction, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope)(KAA) (Main Document 12 replaced on 4/26/2024 to correct page orientation) (KAA). (Entered: 04/26/2024)
05/08/2024	<u>13</u>	NOTICE of Future Address Change for DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope) (AJG) (Entered: 05/10/2024)
06/20/2024	<u>14</u>	ORDER - SCREENING AMENDED COMPLAINT AND DIRECTING FURTHER PROCEEDINGS; Plaintiff Demajio Ellis is an Indiana Department of Correction ("IDOC") prisoner currently incarcerated at New Castle Correctional Facility ("New Castle"). He filed this civil action alleging that various prison officials employed at New Castle and Correctional Industrial Facility ("CIF") have retaliated against him due to his litigation activity. Mr. Ellis' motion to amend his complaint, dkt. <u>11</u> , is granted, and the clerk is directed to docket pages 138 of the proposed amended complaint at dkt. [11-1] as the "Amended Complaint." Defendants have 21 days from the date of their notice of appearance to file a response to the pending motion for preliminary injunction. All claims related to events at CIF are dismissed without prejudice as improperly joined. Mr. Ellis may file a complaint in a separate action against these defendants if he so chooses. The clerk is directed to terminate Mr. Fonseca, caseworker Mr. Chad Evans, unit team manager, Mr. Jack 13 Hendrix, IDOC's Executive Director of Classification, Ms. April Clemons, unit team manager, Ms. Alison Yancey, unit team manager, Captain Laron Bryant, Captain Roberta Creamer, Officer Alaina Hedge, Sgt. M. Perry, Officer Prestriedge, Warden Wendy Knight and Assistant Warden Charlie Fox as defendants on the docket. The clerk is directed to docket pages 138 of the proposed amended complaint at dkt. [11-1] as the "Amended Complaint." The clerk shall ensure that pages 20 and 27 are oriented in the proper direction. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants Ms. C. Gard, Mr. Richey, Ms. Kidd, Captain Tebo, Warden Sevier, Assistant Warden French, Ms. Cecil, and Sgt. Gilbert in the manner specified by Rule 4(d). Process shall consist of the amended complaint, dkt [11-1], applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. Signed by Judge James Patrick Hanlon on 6/20/2024. Copies Mailed (CKM) (Entered: 06/21/2024)
06/21/2024	<u>15</u>	AMENDED COMPLAINT against CECIL, FRENCH, C. GARD, GILBERT, KIDD, RICHEY, SEVIER, TEBO, filed by DEMAJO JEROME ELLIS.(CKM) (Entered: 06/21/2024)
06/21/2024	<u>16</u>	NOTICE of Lawsuit & Waiver Issued by Clerk as to (1) Ms. C. Gard, (2) Mr. Richey, (3) Ms. Kidd, (4) Captain Tebo, (5) Warden Sevier, (6) Assistant Warden French, (7) Ms. Cecil, and (8) Sgt. Gilbert. (CKM) (Entered: 06/21/2024)
07/08/2024	<u>17</u>	NOTICE to the Court, filed by Plaintiff DEMAJO JEROME ELLIS (Attachments: # <u>1</u> Envelope) (JRB) (Entered: 07/12/2024)
07/12/2024	<u>18</u>	MOTION for Court to Serve Defendant Brown, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 07/15/2024)
08/20/2024	<u>19</u>	NOTICE of Appearance by Joseph Thomas Lipps on behalf of Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Lipps, Joseph) (Entered: 08/20/2024)
08/20/2024	<u>20</u>	WAIVER OF SERVICE Returned Executed, filed by TEBO, GILBERT, SEVIER, CECIL, FRENCH, KIDD. TEBO waiver sent on 6/21/2024; GILBERT waiver sent on 6/21/2024; SEVIER waiver sent on 6/21/2024; CECIL waiver sent on 6/21/2024; FRENCH waiver sent on 6/21/2024; KIDD waiver sent on 6/21/2024. (Lipps, Joseph) (Entered: 08/20/2024)
08/20/2024	<u>21</u>	ANSWER to <u>15</u> Amended Complaint , filed by CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO.(Lipps, Joseph) (Entered: 08/20/2024)
08/21/2024	<u>22</u>	ENTRY DIRECTING DEVELOPMENT OF EXHAUSTION DEFENSE AND ISSUING PARTIAL STAY - The exhaustion defense will be resolved pursuant to the following schedule. The defendants shall have through October 2, 2024, in which to either: SEE ORDER. 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 sent to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 8/21/2024.(JRB) (Entered: 08/21/2024)
08/21/2024	<u>23</u>	**WITHDRAWN AT <u>31</u> ** MOTION to the Court for Permission to File a New Separate Case, filed by Plaintiff DEMAJIO JEROME ELLIS. (Attachments: # <u>1</u> Envelope) (JSR) Modified on 9/3/2024 (KAA). (Entered: 08/21/2024)
08/27/2024	<u>24</u>	NOTICE of Appearance by Raegi Shirley on behalf of Defendant C. GARD. (Shirley, Raegi) (Entered: 08/27/2024)
08/28/2024	<u>25</u>	First MOTION for Extension of Time to 9/28/24 in which to <u>15</u> Amended Complaint , filed by Defendant C. GARD. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order for Motion for Extension of Time to Respond to Plaintiff's Amended Complaint)(Shirley, Raegi) (Entered: 08/28/2024)
08/28/2024	<u>26</u>	WAIVER OF SERVICE Returned Executed, filed by C. GARD. C. GARD waiver sent on 6/21/2024. (Shirley, Raegi) (Entered: 08/28/2024)
08/28/2024	<u>27</u>	ORDER GRANTING MOTION TO RECONSIDER SCREENING ORDER - On July 12, Mr. Ellis filed a "motion to the court to serve to add defendant Sergeant Mr. Brown and failure protect." Dkt. <u>18</u> Mr. Ellis' motion, dkt. <u>18</u> , is granted to the extent that the Court concludes that he adequately alleged First Amendment retaliation and Eighth Amendment deliberate indifference claims against Sgt. Brown. These claims shall proceed. The motion is also granted to the extent that Mr. Ellis wants the Court to reconsider its dismissal of his failure-to-protect claim. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to Sgt. Brown in the manner specified by Rule 4(d). The clerk is further directed to add Sgt. Brown as a defendant on the docket. Signed by Judge James Patrick Hanlon on 8/28/2024. (See Order.) Copies mailed as directed in Order and Distribution List. (BAA) (Entered: 08/29/2024)
08/28/2024	<u>29</u>	MOTION to Withdraw <u>23</u> MOTION, filed by Plaintiff DEMAJIO JEROME ELLIS. (Attachments: # <u>1</u> Envelope) (JSR) (Entered: 08/29/2024)
08/28/2024	<u>30</u>	MOTION for Pavey Hearing, filed by Plaintiff DEMAJIO JEROME ELLIS. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Envelope) (JSR) (Entered: 08/29/2024)
08/29/2024	<u>28</u>	NOTICE of Lawsuit & Request to Waive Service of Summons Issued by Clerk upon Sgt. Brown. (BAA) (Entered: 08/29/2024)
09/03/2024	<u>31</u>	ORDER - Plaintiff Demajio Ellis' motion to withdraw the motion at docket 23, dkt. <u>29</u> , is granted. The clerk is directed to terminate the motion at docket <u>23</u> . Defendant Gard's motion for extension of time to file a response to Mr. Ellis' amended complaint, dkt. <u>25</u> , is granted. She has through September 28, 2024, to file an answer or responsive pleading. Mr. Ellis' motion for a Pavey hearing and for the Court to appoint counsel for the hearing, dkt. <u>30</u> , is denied without prejudice as premature. Signed by Magistrate Judge Tim A. Baker on 9/3/2024. Copy to plaintiff via US Mail. (KAA) (Entered: 09/03/2024)
09/06/2024	<u>32</u>	MOTION to Appoint Counsel, filed by Plaintiff DEMAJIO JEROME ELLIS. (Attachments: # <u>1</u> Envelope) (JSR) (Entered: 09/09/2024)
09/27/2024	<u>33</u>	NOTICE to court regarding Defendant Mr. Richey, filed by Plaintiff DEMAJIO JEROME ELLIS. (Attachments: # <u>1</u> Envelope)(JRB) Modified on 10/8/2024 (MEH). (Entered: 09/30/2024)
09/27/2024	<u>34</u>	MOTION to Sanction Defendant TEBO, filed by Plaintiff DEMAJIO JEROME ELLIS. (Attachments: # <u>1</u> Envelope)(JRB) (Entered: 09/30/2024)
09/27/2024	<u>40</u>	MOTION for court order regarding incoming legal mail, filed by Plaintiff DEMAJIO JEROME ELLIS. (MEH) (Entered: 10/08/2024)
10/01/2024	<u>35</u>	ORDER DIRECTING PLAINTIFF TO FILE COPY OF TRUST ACCOUNT EX-PARTE AND LIFTING STAY FOR LIMITED PURPOSE OF RESPONDING TO MOTION FOR PRELIMINARY INJUNCTION - Mr. Ellis has through October 22, 2024, to file an ex-parte copy

		of his trust account statement for the Court to assess his eligibility for the appointment of counsel. The Court lifts the partial stay to the extent that Defendants have through October 22, 2024, to file a response to the pending motion for preliminary injunction. Copy to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 10/1/2024.(AAS) (Entered: 10/01/2024)
10/02/2024	<u>36</u>	NOTICE OF WITHDRAWAL OF AFFIRMATIVE DEFENSE OF FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES PRIOR TO FILING LAWSUIT, filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO, re <u>22</u> Entry. (Lipps, Joseph) (Entered: 10/02/2024)
10/02/2024	<u>37</u>	ANSWER to <u>15</u> Amended Complaint , filed by C. GARD.(Shirley, Raegi) (Entered: 10/02/2024)
10/04/2024	<u>38</u>	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 5/5/2025. Discovery due by 4/3/2025. Copy to Plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 10/04/2024. (AJG) Updated docket text. Modified on 10/4/2024 (AJG). Modified to correct date on 10/9/2024 (JRT). (Entered: 10/04/2024)
10/04/2024	<u>39</u>	ENTRY DIRECTING DEVELOPMENT OF EXHAUSTION DEFENSE AND ISSUING PARTIAL STAY AS TO DEFENDANT GARD AND DIRECTING DEFENDANT TO RESPOND TO MOTION FOR PRELIMINARY INJUNCTION - The exhaustion defense will be resolved pursuant to the following schedule. The defendant shall have through November 14, 2024. 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. for activities associated with the development and resolution of the affirmative defense that the plaintiff failed to exhaust his administrative remedies prior to filing this action, or any other matter directed by the Court, any other activities or deadlines in the action are stayed. One exception to the stay is that Ms. Gard has through October 22, 2024, to file a response to the pending motion for preliminary injunction at docket <u>12</u> . (See Order For Additional Details.) Copy to Plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 10/04/2024.(AJG) (Entered: 10/04/2024)
10/11/2024	<u>41</u>	MOTION for Extension of Time to File Reply to <u>12</u> MOTION for Preliminary Injunction, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope)(JRB) (Entered: 10/15/2024)
10/11/2024	<u>42</u>	MOTION for Extension of Time to File Trust Account, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope)(JRB) (Entered: 10/15/2024)
10/16/2024	<u>43</u>	ORDER - denying <u>34</u> Motion to Sanction Defendant TEBO; denying <u>40</u> Motion for court order regarding incoming legal mail. See Order. Signed by Magistrate Judge Tim A. Baker on 10/16/2024. (Copy to plaintiff via US Mail.) (KAA) (Entered: 10/17/2024)
10/21/2024	<u>44</u>	RESPONSE in Opposition re <u>12</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction , filed by Defendants KIDD, TEBO, SEVIER, CECIL, FRENCH, GILBERT. (Lipps, Joseph) (Entered: 10/21/2024)
10/21/2024	<u>45</u>	ORDER granting <u>42</u> Motion for Extension of Time to the extent that Plaintiff shall have up to and including November 12, 2024, to file an ex parte copy of his inmate trust statement as directed by the October 1 Order. The motion is otherwise denied without prejudice. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 10/21/2024. (JRB) (Entered: 10/22/2024)
10/28/2024	<u>46</u>	ORDER - Plaintiff's motion for extension of time, dkt. <u>41</u> , is granted. He shall have up to and including November 29, 2024, to file any reply in support of his motion for injunctive relief, dkt. <u>12</u> . Copy to Plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 10/28/2024. (AJG) (Entered: 10/28/2024)

10/28/2024	<u>47</u>	NOTICE Regarding Settlement Conference, filed by Plaintiff DEMAJO JEROME ELLIS (Attachments: # <u>1</u> Envelope) (JSR) (Entered: 10/29/2024)
11/01/2024	<u>49</u>	Proposed Subpoena, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope) (JRB) (Entered: 11/04/2024)
11/07/2024	<u>50</u>	REPLY in Support of Motion re <u>12</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope) (JSR) (Entered: 11/08/2024)
11/07/2024	<u>51</u>	Supplemental RESPONSE to Defendant's First Set of Interrogatory, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope) (JSR) (Entered: 11/08/2024)
11/12/2024	<u>52</u>	ORDER DENYING WITHOUT PREJUDICE MOTION FOR ASSISTANCE WITH RECRUITING COUNSEL - Mr. Ellis's motion for assistance recruiting counsel is denied without prejudice. Dkt. <u>32</u> . The clerk is directed to send Mr. Ellis a motion for assistance recruiting counsel form, which he must use if he chooses to renew his motion. The Court will remain alert to changes in circumstances that may warrant reconsideration of the motion, such as a settlement conference or evidentiary hearing. (See Order For Additional Details.) Copy to Plaintiff via US mail. Signed by Judge James Patrick Hanlon on 11/12/2024. (Attachments: # <u>1</u> Counsel Form) (AJG) (Entered: 11/12/2024)
11/21/2024	<u>53</u>	Supplemental Reply in support of Motion for TRO & PI Dkt <u>12</u> , filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Envelope)(LF) (Entered: 11/22/2024)
12/02/2024	<u>54</u>	NOTICE of Service of Initial Disclosures , filed by Defendants KIDD, TEBO, SEVIER, CECIL, FRENCH, GILBERT. (Lipps, Joseph) (Entered: 12/02/2024)
12/13/2024	<u>55</u>	MOTION for Subpoena to Non-Party, filed by Plaintiff DEMAJO JEROME ELLIS. (LBT) (Entered: 12/16/2024)
12/13/2024	<u>56</u>	Submission of Subpoena to GEO Group, filed by Plaintiff DEMAJO JEROME ELLIS. (LBT) (Entered: 12/16/2024)
12/20/2024	<u>57</u>	MOTION to Extend Discovery Deadline, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 12/20/2024)
12/20/2024	<u>58</u>	MOTION for Appointed Experts, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 12/20/2024)
01/02/2025	<u>59</u>	ORDER - Plaintiff's motion requesting issuance of a subpoena <u>55</u> is granted. The clerk is directed to enclose one endorsed, but otherwise blank, document subpoena with Plaintiff's copy of this Order. Plaintiff is responsible for completing and serving the subpoenas and for complying with Federal Rule of Civil Procedure 45. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 1/2/2025. (Attachments: # <u>1</u> Subpoena) (JRB) (Entered: 01/02/2025)
01/15/2025	<u>60</u>	ORDER SETTING TELEPHONIC STATUS CONFERENCE - Telephonic Status Conference set for 1/31/2025 at 10:30 AM before Magistrate Judge Tim A. Baker. The Court will arrange Plaintiff's participation in this conference, and Defendants shall appear by counsel. The information needed by counsel of record to participate in this telephonic conference will be provided by separate notification. (SEE ORDER.) Copy sent to plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 1/15/2025.(TPS) (Entered: 01/15/2025)
01/15/2025	<u>61</u>	ORDER to Make Inmate Available - via Telephone. Warden of New Castle Correctional Facility ordered to make DEMAJO JEROME ELLIS Available - via Telephone for court proceeding on 1/31/2025 at 10:30 a.m. (SEE ORDER.) Copy sent to plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 1/15/2025.(TPS) (Entered: 01/15/2025)
01/16/2025	<u>62</u>	MOTION for Court Assistance for Emergency Motion for Speedy Order for Defendants to Abide by TRO, filed by Plaintiff DEMAJO JEROME ELLIS. (BAA) (Entered: 01/16/2025)

01/16/2025	<u>63</u>	MARGINAL ENTRY/ORDER: Motion <u>57</u> denied as premature, as the discovery deadline does not expire until April 3, 2025. Signed by Magistrate Judge Tim A. Baker on 1/16/2025.(Copy to Plaintiff via US Mail.) (LF) (Entered: 01/16/2025)
01/17/2025	<u>64</u>	ORDER - The motion, dkt. <u>62</u> , is granted to the limited extent that Correctional Defendants are ordered to investigate these claims and be prepared to discuss them at the January 31, 2025, status conference. Specifically, counsel for Correctional Defendants must state what steps, if any, have been taken to consider Mr. Ellis' request to be placed in protective custody. SEE ORDER. Signed by Magistrate Judge Tim A. Baker on 1/17/2025. Copy to Plaintiff via US Mail. (AAS) (Entered: 01/17/2025)
01/23/2025	<u>66</u>	NOTICE to the Court, filed by Plaintiff DEMAJO JEROME ELLIS (JRB) (Entered: 01/24/2025)
01/31/2025	<u>67</u>	ORDER ON JANUARY 31, 2025, TELEPHONIC STATUS CONFERENCE - Plaintiff Demajio Ellis appeared pro se, Defendants Kidd, Tebo, Sevier, Cecil, French, and Gilbert appeared by counsel Joseph Lipps, and Defendant Gard appeared by counsel Raigi Shirley. The purpose of the telephonic status conference was to discuss the pending motion for temporary restraining order/ preliminary injunction, dkt. <u>12</u> , and other matters. Counsel shall send Defendant Gard's initial disclosures by end of business today and shall file a notice of having done so. The Court expects that Counsel Shirley will appear on time for future conferences and will adhere to all deadlines in the Court's October 4, 2024, Pretrial Schedule. Dkt. <u>38</u> . Mr. Lipps has through February 7, 2025, to file an ex parte notice that provides these defendants full names and last known addresses, or confirm that that information could not be found. Mr. Ellis requested that future status conferences be held over Zoom. He said that telephonic conferences can be overheard by inmates and staff, making him feel uncomfortable being candid about the threats he has received. The Court will consider this request should it find future conferences necessary in this matter. The conference concluded without further order. [SEE ORDER.] Signed by Magistrate Judge Tim A. Baker. [Copy sent to Plaintiff via U.S. Mail.] (DMB) (Entered: 01/31/2025)
01/31/2025	<u>68</u>	NOTICE of Service of Initial Disclosures , filed by Defendant C. GARD. (Shirley, Raegi) (Entered: 01/31/2025)
02/05/2025	<u>70</u>	ENTRY DIRECTING REISSUANCE OF PROCESS - The clerk is directed to update the docket to reflect that the complete names of these defendants are Evan Brown and Brennan Ritchie. The clerk is then directed pursuant to Fed. R. Civ. P. 4(c)(3) to reissue process to Defendants Brown and Ritchie. Process shall consist of the amended complaint, dkt. <u>15</u> , screening order, dkt. <u>14</u> , order granting motion to reconsider screening order, dkt. <u>27</u> , applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Entry. Signed by Magistrate Judge Tim A. Baker on 02/05/2025. Copies provided per distribution list.(AAS) (Entered: 02/05/2025)
02/05/2025	<u>71</u>	NOTICE of Lawsuit & Waiver Issued by Clerk TO: 1) Evan Brown; 2) Brennan Ritchie. (AAS) (Entered: 02/05/2025)
02/07/2025	<u>72</u>	ORDER DENYING MOTION FOR PRELIMINARY INJUNCTION AS MOOT - Plaintiff Demajio Ellis is proceeding on claims that Defendants were deliberately indifferent to his safety and retaliated against him by housing him with cellmates that harassed, threatened, and fought with him. Briefing on the matter is now complete, and a telephonic status conference was held on January 31, 2025, to discuss the motion. For the following reasons, Mr. Ellis' motion, dkt. <u>12</u> , is denied as moot. Mr. Ellis' motion for a preliminary injunction, dkt. <u>12</u> , is denied as moot because he has received the relief he requested--to be housed in a single-person cell. Defendants are ordered to file a Notice with the Court if these circumstances are expected to change. Signed by Judge James Patrick Hanlon on 2/7/2025. (See Order.) Copy mailed to Plaintiff. (BAA) (Entered: 02/07/2025)
02/10/2025	<u>73</u>	MOTION for Protective Order , filed by Defendants KIDD, TEBO, SEVIER, CECIL, FRENCH, GILBERT. (Attachments: # <u>1</u> Exhibit A- Plaintiff's First Request for Production to Sevier)(Lipps, Joseph) (Entered: 02/10/2025)

02/11/2025	<u>74</u>	Submission of Proposed Order , re <u>73</u> MOTION for Protective Order , filed by Defendants KIDD, TEBO, SEVIER, CECIL, FRENCH, GILBERT. (Lipps, Joseph) (Entered: 02/11/2025)
02/12/2025	<u>75</u>	MOTION in Limine and Court Order, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Exhibit)(JRB) (Entered: 02/12/2025)
02/25/2025	<u>76</u>	MOTION to Appoint Counsel, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 02/26/2025)
02/25/2025	<u>77</u>	Request for Production of Documents, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Exhibit)(AAS) (Entered: 02/26/2025)
02/25/2025	<u>78</u>	MOTION for Temporary Restraining Order and MOTION for Preliminary Injunction, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Exhibit)(AAS) (Entered: 02/26/2025)
02/25/2025	<u>79</u>	MOTION for Extension of Time Regarding Discovery, filed by Plaintiff DEMAJO JEROME ELLIS. (AAS) (Entered: 02/26/2025)
02/25/2025	<u>80</u>	MOTION for Court Assistance to Recommend Facility Transfer, filed by Plaintiff DEMAJO JEROME ELLIS. (AAS) (Entered: 02/26/2025)
02/27/2025	<u>81</u>	MARGINAL ENTRY/ORDER granting in part <u>79</u> Motion for Extension of Time. Good cause exists only for a 30-day enlargement of the discovery deadline. Accordingly, the discovery deadline is enlarged to 5/5/2025. Signed by Magistrate Judge Tim A. Baker on 2/27/2025. (Copy to plaintiff via US Mail.) (KAA) (Entered: 02/27/2025)
03/03/2025	<u>82</u>	NOTICE <i>REGARDING SETTLEMENT CONFERENCE</i> , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO, re <u>38</u> Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation. (Lipps, Joseph) (Entered: 03/03/2025)
03/03/2025	<u>83</u>	NOTICE <i>CONCERNING PLAINTIFF'S NOTICE/ATTEMPT FOR DEFENDANT SEVIER TO PRODUCE PLAINTIFF REQUEST FOR PRODUCTION</i> , filed by Defendants CECIL, FRENCH, GILBERT, JACK HENDRIX, KIDD, SEVIER, TEBO, re <u>77</u> Discovery. (Lipps, Joseph) (Entered: 03/03/2025)
03/03/2025	<u>84</u>	NOTICE <i>REGARDING SETTLEMENT CONFERENCE</i> , filed by Defendant C. GARD (Shirley, Raegi) (Entered: 03/03/2025)
03/04/2025	<u>85</u>	ORDER granting <u>73</u> Motion for Protective Order - Defendants have sufficiently answered Plaintiff's Request for Production No. 17. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 3/4/2025. (JRB) (Entered: 03/04/2025)
03/04/2025	<u>86</u>	ORDER denying <u>75</u> Motion in Limine / MARGINAL ENTRY - Motion denied. Court proceedings are presumptively public and Plaintiff has not provided sufficient cause for the Court to order the items listed in his motion to be filed on an ex parte basis. Copy to Plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 03/04/2025. (AJG) (Entered: 03/04/2025)
03/12/2025	<u>87</u>	MOTION to Compel Discovery, filed by Plaintiff DEMAJO JEROME ELLIS. (AAS) (Entered: 03/12/2025)
03/25/2025	<u>88</u>	RESPONSE in Opposition re <u>87</u> MOTION to Compel , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Lipps, Joseph) (Entered: 03/25/2025)
03/26/2025	<u>89</u>	NOTICE of Parties' First Extension of Time re Responding to any written request for discovery or admission, filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Lipps, Joseph) (Entered: 03/26/2025)
03/26/2025	<u>91</u>	Preliminary Witness List, filed by Plaintiff DEMAJO JEROME ELLIS. (KAA) (Entered: 03/27/2025)
03/27/2025	<u>90</u>	NOTICE of Parties' First Extension of Time re Responding to any written request for discovery or admission, filed by Defendant C. GARD. (Shirley, Raegi) (Entered: 03/27/2025)

04/02/2025	<u>92</u>	Emergency MOTION for Phone or Zoom Conference, filed by Plaintiff DEMAJO JEROME ELLIS. (AJG) (Entered: 04/03/2025)
04/04/2025	<u>93</u>	NOTICE <i>Concerning Plaintiff's Housing Situation</i> , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO, re <u>72</u> Order on Motion for TROOrder on Motion for Preliminary Injunction. (Lipps, Joseph) (Entered: 04/04/2025)
04/07/2025	<u>94</u>	MOTION to Set Status Conference Call, filed by Plaintiff DEMAJO JEROME ELLIS. (KAA) (Entered: 04/08/2025)
04/07/2025	<u>95</u>	MOTION to Compel, filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Exhibits) (KAA) (Entered: 04/08/2025)
04/09/2025	<u>96</u>	ORDER ON PLAINTIFF'S MOTION TO COMPEL AND EMERGENCY MOTION FOR PHONE OR ZOOM CONFERENCE - Plaintiff Demajio Jerome Ellis filed a motion to compel discovery. [Filing No. <u>87</u> .] Plaintiff also filed an emergency motion for a phone or Zoom conference, in which he requests that he be moved to a new single cell. [Filing No. <u>92</u> .] Plaintiff's motion to compel [Filing No. <u>87</u>] and Plaintiff's motion for an emergency conference [Filing No. <u>92</u>] are denied. Signed by Magistrate Judge Tim A. Baker on 4/9/2025. (See Order.) Copy mailed to Plaintiff. (BAA) (Entered: 04/09/2025)
04/11/2025	<u>97</u>	MOTION for Court Order, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 04/14/2025)
04/24/2025	<u>98</u>	***PLEASE DISREGARD, DOCKETED IN ERROR*** MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (CCG) Modified on 4/24/2025 (CCG). (Entered: 04/24/2025)
04/24/2025	99	***PLEASE DISREGARD, DOCKETED IN ERROR*** Notice to File Rule 7.1 Disclosure Statement. (KLS) (CCG) Modified on 4/24/2025 (CCG). (Entered: 04/24/2025)
04/24/2025	<u>100</u>	MOTION for Clerk's Entry of Default, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 04/24/2025)
04/28/2025	<u>101</u>	MOTION for Court Assistance for Order to Separate Plaintiff or Move to Protective Custody, filed by Plaintiff DEMAJO JEROME ELLIS. (JSR) (Entered: 04/29/2025)
04/28/2025	<u>102</u>	NOTICE to Court of Facility Transfer - new address not yet known filed by Plaintiff DEMAJO ELLIS. (DWH) (Entered: 04/29/2025)
04/30/2025	<u>103</u>	NOTICE <i>Concerning Plaintiff's Housing Situation</i> , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO, re <u>72</u> Order on Motion for TROOrder on Motion for Preliminary Injunction. (Lipps, Joseph) (Entered: 04/30/2025)
05/01/2025	<u>104</u>	ENTRY DIRECTING MARSHALS SERVICE TO SERVE DEFENDANTS BROWN AND RITCHIE OR FILE A REPORT - The Court therefore directs the clerk to issue a summons pursuant to Federal Rule of Civil Procedure 4(a) for personal service by the United States Marshal for this district or his designee pursuant to Rule 4(c)(3), to effect service of process on defendants Evan Brown and Brennan Ritchie. Signed by Magistrate Judge Tim A. Baker on 5/1/2025. (See Entry.) Copies distributed as directed in Entry and Distribution List. Electronic Notice to USM. (BAA) (Entered: 05/01/2025)
05/01/2025	<u>105</u>	Summons Issued to EVAN BROWN. (Attachments: # <u>1</u> USM 285 Form) (BAA) (Entered: 05/01/2025)
05/01/2025	<u>106</u>	Summons Issued to BRENNAN RITCHIE. (Attachments: # <u>1</u> USM 285 Form) (BAA) (Entered: 05/01/2025)
05/01/2025	<u>107</u>	Documents for service by USM - re <u>105</u> Summons Issued, <u>15</u> Amended Complaint, <u>27</u> Order on Motion, <u>106</u> Summons Issued, <u>14</u> Order Terminate Motions Add and Terminate Parties, <u>104</u> Documents for Service by USM. Electronic notice to USM-C. (BAA) (Entered: 05/01/2025)

05/01/2025	108	MOTION for Default Judgment, filed by Plaintiff DEMAJO JEROME ELLIS. (BAA) (Entered: 05/02/2025)
05/01/2025	109	NOTICE of Change of Address for DEMAJO JEROME ELLIS. (LBT) (Entered: 05/02/2025)
05/02/2025	110	MOTION for Extension of Time to May 19, 2025 in which to 38 Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation <i>File Motion for Summary Judgment</i> , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Attachments: # 1 Text of Proposed Order)(Lipps, Joseph) (Entered: 05/02/2025)
05/02/2025	111	First MOTION to Extend Deadlines <i>for Motion for Summary Judgment</i> , filed by Defendant C. GARD. (Attachments: # 1 Text of Proposed Order Order Granting Motion for Extension of Time to File Motion for Summary Judgment)(Shirley, Raegi) (Entered: 05/02/2025)
05/06/2025	112	ORDER DISCUSSING PENDING MOTIONS - Mr. Ellis's motions requesting some form of injunctive relief, dkts. 78 , 80 , 97 , and 101 , are denied as moot. Mr. Ellis's motion for the appointment of an expert, dkt. 58 , motion for counsel, dkt. 76 , and motions for default judgment, dkts. 100 and 108 , are denied. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Judge James Patrick Hanlon on 5/6/2025. (JRB) (Entered: 05/07/2025)
05/06/2025	113	ORDER granting 110 Motion for Extension of Time - The deadline for these Defendants to file its motion for summary judgment in this matter is extended to up to and including May 19, 2025. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 5/6/2025.(JRB) (Entered: 05/07/2025)
05/06/2025	114	ORDER GRANTING DEFENDANT C. GARD'S MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT - granting 111 Motion to Extend Deadlines. Defendant Ms. C. Gard shall have up to and including May 19, 2025, file her Motion for Summary Judgment. Signed by Magistrate Judge Tim A. Baker on 5/6/2025. (Copy to plaintiff via US Mail.) (KAA) (Entered: 05/07/2025)
05/06/2025	115	MOTION for Default as to Defendants Brown and Ritchie, filed by Plaintiff DEMAJO JEROME ELLIS. (KAA) (Entered: 05/08/2025)
05/09/2025	116	ORDER - Plaintiff's third motion for default judgment against Defendants Brown and Ritchie, dkt. 115 , is denied for the reasons explained in the Court's May 6, 2025, Order. See dkt. 112 (explaining that neither defendant has been successfully served). Signed by Judge James Patrick Hanlon on 5/9/2025. Copy mailed to Plaintiff. (BAA) (Entered: 05/09/2025)
05/19/2025	117	Second MOTION for Extension of Time to June 2, 2025 in which to 113 Order on Motion for Extension of Time to FileScheduling <i>File Motion for Summary Judgment</i> , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Attachments: # 1 Text of Proposed Order) (Lipps, Joseph) (Entered: 05/19/2025)
05/19/2025	118	MOTION <i>for Summary Judgment</i> , filed by Defendant C. GARD. (Attachments: # 1 Text of Proposed Order Order Granting Defendant Gard Motion for Summary Judgment)(Shirley, Raegi) (Entered: 05/19/2025)
05/19/2025	119	Designation of Evidence re 118 MOTION <i>for Summary Judgment</i> , filed by Defendant C. GARD. (Shirley, Raegi) (Entered: 05/19/2025)
05/19/2025	120	BRIEF/MEMORANDUM in Support re 118 MOTION <i>for Summary Judgment</i> , filed by Defendant C. GARD. (Attachments: # 1 Exhibit Exhibit A - Affidavit of Courtney Gard, # 2 Exhibit Exhibit B - DOC Policy and Administrative Procedure 02-01-107, Protective Custody, # 3 Exhibit Exhibit C - Demajio Ellis Bed Search History, # 4 Exhibit ECF 14 - Order Screening Amended Complaint and Directing Further Proceedings, # 5 Exhibit ECF 103 Correctional Facility Defendants Second Notice to the Court Concerning Plaintiffs Housing Situation)(Shirley, Raegi) (Entered: 05/19/2025)
05/19/2025	121	Designation of Evidence re 118 MOTION <i>for Summary Judgment Corrected</i> , filed by Defendant C. GARD. (Shirley, Raegi) (Entered: 05/19/2025)

05/19/2025	<u>122</u>	MOTION for Court Assistance and Notice to Respond to all Defendants Motion for Summary Judgment, filed by Plaintiff DEMAJO JEROME ELLIS. (AAS) (Entered: 05/20/2025)
05/20/2025	<u>123</u>	ORDER DENYING MOTION FOR STATUS CONFERENCE - The clerk is directed to terminate the motion to compel, dkt. <u>95</u> , as such pleading was really a notice, and Mr. Ellis's motion for a status conference, dkt. <u>94</u> , is denied as unnecessary. The Court notes that Defendants have through May 19, 2025, to file a motion for summary judgment. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 5/20/2025. (JRB) (Entered: 05/21/2025)
05/20/2025	<u>124</u>	RETURN of USM Service by DEMAJO JEROME ELLIS. EVAN BROWN served on 5/19/2025. USMS note: Round trip miles are 95 miles. (TPS) (Entered: 05/21/2025)
05/22/2025	<u>125</u>	ORDER granting <u>117</u> SECOND MOTION FOR EXTENSION OF DEADLINE FOR FILING MOTIONS FOR SUMMARY JUDGMENT - IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the deadline for filing motions for summary judgment in this matter is extended to up to and including June 2, 2025.Further extensions of this deadline are not anticipated. Signed by Magistrate Judge Tim A. Baker on 05/22/2025. Copy to Plaintiff via US Mail.(AAS) (Entered: 05/22/2025)
05/22/2025	<u>126</u>	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	<u>129</u>	Emergency MOTION for Court Assistance, filed by Plaintiff DEMAJO JEROME ELLIS. (AJG) (Entered: 05/28/2025)
05/27/2025	<u>130</u>	Emergency MOTION for Court Assistance, filed by Plaintiff DEMAJO JEROME ELLIS. (JSR) (Entered: 05/28/2025)
05/27/2025	<u>131</u>	MOTION to Appoint Counsel and for Copies, filed by Plaintiff DEMAJO JEROME ELLIS. (LBT) (Entered: 05/28/2025)
05/28/2025	<u>128</u>	ORDER GRANTING PLAINTIFF'S REQUEST TO FILE ONE RESPONSE TO SUMMARY JUDGMENT MOTIONS - Plaintiff has filed a motion to file one response to Defendants' motions for summary judgment. Dkt. <u>122</u> . He notes that he has limited law library access and access to materials such as paper and pens. Plaintiff's motion, dkt. <u>122</u> , is granted. He has through June 30, 2025, to file a consolidated response to Defendants' motions. SEE ORDER. Signed by Magistrate Judge Tim A. Baker on 5/28/2025. (JRB) (Entered: 05/28/2025)
05/29/2025	<u>132</u>	MOTION for Extension of Time to File Response re <u>118</u> MOTION <i>for Summary Judgment</i> , filed by Plaintiff DEMAJO JEROME ELLIS. (KAA) (Entered: 05/30/2025)
05/29/2025	<u>133</u>	Proposed SUBPOENA (KAA) (Entered: 05/30/2025)
05/31/2025	<u>134</u>	Correspondence REQUESTING COPY of Case Docket Sheet, filed by Demajio Ellis. (Attachments: # <u>1</u> Public Docket Sheet) (AAS) (Entered: 06/02/2025)
06/02/2025	<u>135</u>	MOTION for Summary Judgment , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Attachments: # <u>1</u> Text of Proposed Order)(Lipps, Joseph) (Entered: 06/02/2025)
06/02/2025	<u>136</u>	BRIEF/MEMORANDUM in Support re <u>135</u> MOTION for Summary Judgment , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Lipps, Joseph) (Entered: 06/02/2025)
06/02/2025	<u>137</u>	Designation of Evidence re <u>136</u> Brief/Memorandum in Support, <u>135</u> MOTION for Summary Judgment , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Attachments: # <u>1</u> Exhibit A- Affidavit of Mark Sevier, # <u>2</u> Exhibit B- Affidavit of Earl Gilbert, # <u>3</u> Exhibit C- Affidavit of Glenda Cecil, # <u>4</u> Exhibit D- Affidavit of Todd Thibeault, # <u>5</u> Exhibit E-

		Affidavit of Sarah Kidd, # 6 Exhibit F- Affidavit of Jennifer French, # 7 Exhibit G- Plaintiffs Bed Search History, # 8 Exhibit H- Plaintiffs Request for Protective Custody, # 9 Exhibit I- Waiver of Protective Custody, # 10 Exhibit J- History of Grievances for Plaintiff)(Lipps, Joseph) (Entered: 06/02/2025)
06/02/2025	138	NOTICE <i>Regarding Right to Respond to and Submit Evidence in Opposition to Motion for Summary Judgment</i> , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO, re 136 Brief/Memorandum in Support, 137 Designation of Evidence, 135 MOTION for Summary Judgment . (Lipps, Joseph) (Entered: 06/02/2025)
06/03/2025	139	ORDER granting 132 MOTION for Extension of Time. The deadline for Plaintiff to file a single, consolidated summary judgment response is enlarged to July 21, 2025. Plaintiff should not anticipate the Court will further enlarge this deadline. Signed by Magistrate Judge Tim A. Baker on 6/3/25. (RSF) (Entered: 06/03/2025)
06/04/2025	140	Witness List <i>Preliminary</i> , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Lipps, Joseph) (Entered: 06/04/2025)
06/04/2025	141	MOTION for Extension of Time to File Response to 118 and 135 MOTIONS <i>for Summary Judgment</i> , filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 06/05/2025)
06/04/2025	142	Second MOTION for Extension of Time to Respond to 118 and 135 MOTIONS for Summary Judgment, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 06/05/2025)
06/04/2025	143	MOTION to File One Single Combined Response to Motions for Summary Judgment, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 06/05/2025)
06/10/2025	144	MARGINAL ENTRY - Motions Filing Nos. 141 , 142 denied as moot given that the Court previously granted a substantially similar motion and enlarged Plaintiff's response deadline to July 21, 2025. Filing No. 139 And as previously stated, "Plaintiff should not anticipate the Court will further enlarge this deadline." [Id.] Signed by Magistrate Judge Tim A. Baker on 6/10/2025. (AAS) (Entered: 06/10/2025)
06/11/2025	145	Combined RESPONSE in Opposition re 135 MOTION for Summary Judgment , 118 MOTION <i>for Summary Judgment</i> , filed by Plaintiff DEMAJO JEROME ELLIS. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K) (JSR) (Entered: 06/11/2025)
06/19/2025	147	MOTION to Add Defendant Brian English to Motion for Temporary Restraining Order, filed by Plaintiff DEMAJO JEROME ELLIS. (AAS) (Entered: 06/23/2025)
06/20/2025	146	ORDER GRANTING MOTION TO FILE CONSOLIDATED RESPONSE AND DENYING EMERGENCY MOTIONS FOR COURT ASSISTANCE AND MOTION TO APPOINT COUNSEL - Mr. Ellis' motion to file a consolidated response to Defendants' motions for summary judgment, dkt. 143 , is granted. His motions for court assistance, which request injunctive relief, dkt. 129 and 130 , are denied. So long as Mr. Ellis is housed at Miami Correctional Facility, any future request for injunctive relief filed in this action will be summarily denied. Mr. Ellis' renewed motion for counsel, dkt. 131 , is denied. The clerk is directed to send Mr. Ellis a copy of the docket sheet with his copy of this Order and to send a courtesy copy of this Order to the Warden of Miami Correctional Facility. SEE ORDER. Signed by Judge James Patrick Hanlon on 6/18/2025. (Attachments: # 1 Docket Sheet) (JRB) (Entered: 06/20/2025)
06/23/2025	148	REPLY in Support of Motion re 135 MOTION for Summary Judgment , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Lipps, Joseph) (Entered: 06/23/2025)
07/08/2025	149	Surreply re 135 MOTION for Summary Judgment , filed by Plaintiff DEMAJO JEROME ELLIS. (SAM) (Entered: 07/09/2025)
08/05/2025	150	MOTION for Clerk's Entry of Default, filed by Plaintiff DEMAJO JEROME ELLIS. (SAM) (Entered: 08/06/2025)

11/05/2025	<u>151</u>	Mail Returned as undeliverable. <u>15</u> Amended Complaint, <u>27</u> Order on Motion, <u>71</u> NOTICE of Lawsuit & Waiver Issued by Clerk, <u>70</u> Entry, <u>14</u> Order sent to BRENNAN RITCHIE. (AAS) (Entered: 11/05/2025)
12/22/2025	<u>152</u>	MOTION for Clerk's Entry of Default, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 12/22/2025)
12/22/2025	<u>153</u>	NOTICE Regarding Defendant, filed by Plaintiff DEMAJO JEROME ELLIS (JRB) (Entered: 12/22/2025)
12/22/2025	<u>154</u>	MOTION Requesting Copies and Clarification, filed by Plaintiff DEMAJO JEROME ELLIS. (JRB) (Entered: 12/22/2025)
12/23/2025	<u>155</u>	ENTRY DIRECTING MARSHALS SERVICE TO SERVE DEFENDANT BRENNAN RITCHIE OR FILE A REPORT - The Clerk has attempted to obtain a waiver of service of summons on defendant Brennan Ritchie without success. On May 1, 2025, the Court directed the clerk to issue a summons for personal service by the United States Marshal to effect service of process on Mr. Ritchie. Dkt. <u>104</u> . On May 28, 2025, the process receipt and return indicated that service on Mr. Ritchie was not effectuated. Dkt. <u>127</u> . The Court therefore directs the clerk to issue a summons pursuant to Fed. R. Civ. P. 4(a) for personal service by the United States Marshal for this district, or his designee pursuant to Rule 4(c)(3), to effect service of process on defendant Brennan Ritchie. See, e.g., Williams v. Werlinger, 795 F.3d 759 (7th Cir. 2015). Service may be completed by personal service or by certified mail. To assist the Marshal, the clerk is directed to include documentation of the defendant's last known address, dkt. 69, and the previous return receipt and return, dkt. <u>127</u> , with the Marshal's copy of this Entry. Signed by Magistrate Judge Tim A. Baker on 12/23/2025. (See Order.) Electronic Notice to USM. (BAA) (Entered: 12/23/2025)
12/23/2025	<u>156</u>	Summons Issued to BRENNAN RITCHIE. (Attachments: # <u>1</u> USM 285 Form) (BAA) (Additional attachment(s) added on 12/23/2025: # <u>2</u> USM 285 Form) (BAA). (Entered: 12/23/2025)
12/23/2025	<u>157</u>	Documents for service by USM - re <u>155</u> Documents for Service by USM, <u>15</u> Amended Complaint, <u>156</u> Summons Issued, <u>14</u> Order Terminate Motions Add and Terminate Parties. Electronic notice to USM-C. (BAA) (Entered: 12/23/2025)
02/12/2026	<u>159</u>	ORDER - Plaintiff's motion for status update, dkt. <u>154</u> , is granted to the extent that the clerk is directed to enclose a public docket sheet with Plaintiff's copy of this Order. The docket sheet includes a receipt for the filing fee. See dkt. 9. Signed by Magistrate Judge Tim A. Baker on 2/12/2026. (Attachments: # <u>1</u> Public Docket Sheet) (KAA) (Entered: 02/12/2026)
02/24/2026	<u>160</u>	Correspondence REQUESTING COPY of Case Docket Sheet, filed by DEMAJO JEROME ELLIS. (Attachments: # <u>1</u> Public Docket Sheet) (SAM) (Entered: 02/24/2026)
03/23/2026	<u>161</u>	ORDER GRANTING DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT AND DIRECTING ENTRY OF DEFAULT - Movant-Defendants' motions for summary judgment, dkt. <u>118</u> , <u>135</u> , are GRANTED. Mr. Ellis's motion to reconsider injunctive relief, dkt. <u>147</u> , is DENIED. Mr. Ellis's motion for clerk's entry of default as to Sergeant Brown and Officer Ritchie, dkt. <u>152</u> , is GRANTED. His earlier motion for clerk's entry of default, dkt. <u>150</u> , is DENIED as superseded by the latter. The clerk is directed to enter default against defendants Brennan Ritchie and Evan Brown pursuant to Fed. R. Civ. P. 55(a). The Clerk is directed to remove Defendant Gard from the docket. The Magistrate Judge is asked to schedule a telephonic status conference to discuss further proceedings. (SEE ORDER.) Signed by Judge James Patrick Hanlon on 3/23/2026. (TPS) (Entered: 03/24/2026)
03/24/2026	<u>162</u>	Clerk's ENTRY OF DEFAULT as to EVAN BROWN, BRENNAN RITCHIE. Signed by Clerk, Kristine L. Seufert. Copies sent pursuant to distribution list via US mail. (TPS) (Entered: 03/24/2026)
03/31/2026	 <u>163</u>	MOTION for Court to Use the Summary Judgment Record and Exhibits for Default Judgment Hearing and Evidence, filed by Plaintiff DEMAJO JEROME ELLIS. (SAM) (Entered: 03/31/2026)

03/31/2026	 164	MOTION for Default Judgment, filed by Plaintiff DEMAJO JEROME ELLIS. (SAM) (Entered: 03/31/2026)
03/31/2026	165	MOTION to Appoint Counsel, filed by Plaintiff DEMAJO JEROME ELLIS. (SAM) (Entered: 03/31/2026)
03/31/2026	166	AFFIDAVIT in Support re 164 MOTION for Default Judgment as to, filed by Plaintiff DEMAJO JEROME ELLIS. (CKM) (Entered: 03/31/2026)
05/07/2026	168	ORDER SETTING TELEPHONIC STATUS CONFERENCE - This matter is set for a telephonic status conference at 9 a.m. (Eastern Time) on May 20, 2026, before Magistrate Judge Tim A. Baker. The Court will arrange Plaintiff's participation in this conference. Defendants shall appear by counsel. The information needed by counsel of record to participate in this telephonic conference will be provided by separate notification. The purpose of this conference is to address case status and settlement. Signed by Magistrate Judge Tim A. Baker on 05/07/2026. (AJG) (Entered: 05/07/2026)
05/07/2026	169	ORDER to Make Inmate Available - via Telephone. Warden of Miami Correctional Facility ordered to make DEMAJO JEROME ELLIS Available - via Telephone for court proceeding on 5/20/2026 at 9:00 A.M. EST. (See Order.) Signed by Magistrate Judge Tim A. Baker on 05/07/2026. (AJG) (Entered: 05/07/2026)
05/08/2026	170	*** PLEASE DISREGARD - STRICKEN PER DKT. 171 *** ENTRY - The clerk is directed to maintain docket 169 as restricted to Court users only. The address for Defendant Brennan Ritchie found in that document is not available on the public docket. See dkts. 69 , 162 . Signed by Magistrate Judge Tim A. Baker on 05/08/2026.(AAS) Modified on 5/8/2026 (AAS). (Entered: 05/08/2026)
05/08/2026	171	AMENDED ENTRY - The Entry at docket 170 is stricken. The clerk is directed to maintain docket 167 as restricted to Court users only. The address for Defendant Brennan Ritchie found in that document is not available on the public docket. See dkts. 69 , 162 . Signed by Magistrate Judge Tim A. Baker on 5/8/2026.(AAS) (Entered: 05/08/2026)
05/12/2026	172	MOTION for Continuance of <i>Telephonic Status Conference</i> , filed by Defendants CECIL, FRENCH, GILBERT, KIDD, SEVIER, TEBO. (Attachments: # 1 Text of Proposed Order)(Lipps, Joseph) (Entered: 05/12/2026)
05/14/2026	173	ORDER ON DEFENDANTS' 172 MOTION TO CONTINUE TELEPHONIC STATUS CONFERENCE - IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Telephonic Status Conference scheduled to commence in this matter on May 20, 2026, at 9:00 a.m. is vacated and reset for 9 a.m. (Eastern Time) on June 1, 2026, before Magistrate Judge Tim A. Baker. The Court will arrange Plaintiff's participation in this conference. Defendants shall appear by counsel. The information needed by counsel of record to participate in this telephonic conference will be provided by separate notification. The purpose of this conference is to address case status and settlement. Signed by Magistrate Judge Tim A. Baker on 5/14/2026. (AMT) (Entered: 05/14/2026)
05/14/2026	174	AMENDED ORDER to Make Inmate Available - via Telephone. Warden of MIAMI CORRECTIONAL FACILITY ordered to make DEMAJO JEROME ELLIS # 166596 Available - via Telephone for court proceeding on 6/1/2026 at 9:00 am (EST). Signed by Magistrate Judge Tim A. Baker on 5/14/2026.(AMT) (Entered: 05/14/2026)
05/18/2026	 175	MOTION for Default Judgment as to EVAN BROWN and BRENNAN RITCHIE, filed by Plaintiff DEMAJO JEROME ELLIS. (SAS) (Entered: 05/19/2026)
05/18/2026	176	AFFIDAVIT in Support of Motion re 175 MOTION for Default Judgment as to EVAN BROWN and BRENNAN RITCHIE, filed by Plaintiff DEMAJO JEROME ELLIS. (SAS) (Entered: 05/19/2026)

06/01/2026	<u>178</u>	MINUTE ORDER ON JUNE 1, 2026, TELEPHONIC STATUS CONFERENCE - Plaintiff appeared in person and Defendants Tebo, Sevier, Cecil, French, and Gilbert by counsel June 1, 2026, for a telephonic status conference. Pro se Defendants Brown and Ritchie failed to appear. Discussion held regarding case status and settlement. The represented Defendants shall serve a settlement response by June 8, 2026, and provide a copy to the magistrate judge at the time of service. The magistrate judge recommends the district judge set this matter for a two-to-three-day jury trial at the Court's convenience. Signed by Magistrate Judge Tim A. Baker. (DMB) (Entered: 06/01/2026)
07/08/2026	<u>179</u>	ORDER GRANTING PLAINTIFF'S MOTION FOR ASSISTANCE WITH RECRUITING COUNSEL - granting <u>165</u> Plaintiff Demajio Jerome Ellis's Motion to Appoint Counsel insofar as the Court will attempt to recruit counsel to represent Mr. Ellis through final judgment. The Court has recruited counsel for Mr. Ellis many times before, and if the Court has not entered an order of recruitment of counsel by August 31, 2026, Mr. Ellis should expect to continue to proceed pro se. Signed by Judge James Patrick Hanlon on 7/8/2026. (KAA) (Entered: 07/09/2026)

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