

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

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:24-cv-01154-TWP-MKK**

HIGGASON v. REAGLE et al
Assigned to: District Judge Tanya Walton Pratt
Referred to: Magistrate Judge M. Kendra Klump
Related Cases: [1:24-cv-00292-TWP-MKK](#)
[1:24-cv-01153-TWP-MKK](#)
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/10/2024
Jury Demand: Both
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff**JAMES HIGGASON**

represented by **JAMES HIGGASON**
194128
PENDLETON - CF
PENDLETON CORRECTIONAL
FACILITY
Inmate Mail/Parcels
4490 West Reformatory Road
PENDLETON, IN 46064
PRO SE

V.

Defendant**DENNIS REAGLE**

represented by **Eric Ryan Shouse**
Lewis And Wilkins LLP
8777 Purdue Rd
Suite 104
Indianapolis, IN 46268
317-636-7460
Email: shouse@lewisandwilkins.com
ATTORNEY TO BE NOTICED

Defendant**ANDREW COLE**

represented by **Eric Ryan Shouse**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**CHARLIE FOX**

represented by **Eric Ryan Shouse**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**COOPRIDER**

represented by **Eric Ryan Shouse**
(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****ARAMARK CORRECTIONAL
SERVICES LLC**

represented by **Georgianna Q. Tutwiler**
HUME SMITH GEDDES GREEN &
SIMMONS
54 Monument Circle
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Indianapolis, IN 46204
317-632-4402
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ATTORNEY TO BE NOTICED

Defendant**TRENT ALLEN**

represented by **Eric Ryan Shouse**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/10/2024	<u>1</u>	CONSENT to Prisoner E-Service by JAMES HIGGASON located at PENDLETON CF. Pursuant to General Order 2013-1, documents submitted by JAMES HIGGASON 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: 07/11/2024)
07/10/2024	<u>2</u>	COMPLAINT against TRENT ALLEN, ARAMARK CORRECTIONAL SERVICES LLC, ANDREW COLE, COOPRIDER, CHARLIE FOX, IDOC, DENNIS REAGLE, filed by JAMES HIGGASON. (No fee paid with this filing) (DJH) (Entered: 07/11/2024)
07/11/2024	<u>3</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 07/11/2024)
07/11/2024	<u>4</u>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (DJH) (Entered: 07/11/2024)
07/12/2024	<u>5</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. (MEH) (Entered: 07/12/2024)
07/25/2024	<u>6</u>	MOTION of Notice of Related Action, filed by Plaintiff JAMES HIGGASON. (Attachments: # <u>1</u> Envelope)(LF) (Entered: 07/29/2024)
09/30/2024	<u>7</u>	MOTION for Clarification, filed by Plaintiff JAMES HIGGASON. (JRB) (Entered: 09/30/2024)
10/21/2024	8	RECEIPT #12636 for filing fee in the amount of \$405.00, paid by JAMES HIGGASON. (DJH) (Entered: 10/21/2024)
10/21/2024	<u>9</u>	Letter Received with Payment, filed by Plaintiff JAMES HIGGASON. (Attachments: # <u>1</u> Envelope)(JRB) (Entered: 10/23/2024)
01/03/2025	<u>10</u>	ORDER REASSIGNING RELATED CASE - Plaintiff has filed a motion requesting reassignment of this case because it is related to two previously filed actions: White v.

		Reagle, 1:24-cv-01153-TWP-MKK and Neathery v. Reagle, 1:24-cv-00292-TWP-MKK. Each of the aforementioned cases allege that the plaintiffs were provided substandard food at the Pendleton Correctional Facility during a several-months long lockdown. Plaintiff's motion, dkt. 6 , is granted. Pursuant to Local Rule 40-1(e) of the Southern District of Indiana, the clerk is directed to reassign this case to Chief Judge Tanya Walton Pratt and Magistrate Judge M. Kendra Klump for all further proceedings. Signed by District Judge Richard L Young on 1/3/2025.(AAS) (Entered: 01/03/2025)
01/03/2025	11	NOTICE of Reassignment of Case to Judge Tanya Walton Pratt and Magistrate Judge M. Kendra Klump. District Judge Richard L Young, Magistrate Judge Kellie M. Barr is no longer assigned to this case. Please include the new case number, 1:24-cv-1154-TWP-MKK , on all future filings in this matter. (CCG) (Entered: 01/03/2025)
05/30/2025	12	ORDER SCREENING COMPLAINT AND DIRECTING FURTHER PROCEEDINGS - The claims discussed herein are the only claims the Court identified in the complaint. If Mr. Higgason believes he asserted additional claims that were not discussed by the Court, he must notify the Court no later than June 30, 2025. The action will proceed with the Eighth Amendment claims against Defendants Dennis Reagle, Andrew Cole, Charlie Fox, Coopriders, Trent Allen (for injunctive relief), and Aramark. The clerk is directed to terminate defendant IDOC on the docket. The clerk is directed to issue process to Defendants electronically. The clerk is directed to send a courtesy copy of this Order to attorney Chris Cody. Mr. Higgason's motion for clarification, dkt. 7 , is granted to the extent that, although this case is related to cases filed by other inmates, he is responsible for all filings in this case. The Court will only rule on motions filed by Mr. Higgason in this case. See Order. Signed by Judge Tanya Walton Pratt on 5/30/2025. (Copies mailed per Distribution.) (KAA) (Entered: 06/02/2025)
06/02/2025	13	NOTICE of Lawsuit & Waiver Issued by Clerk upon: 1) DENNIS REAGLE ; 2) ANDREW COLE ; 3) CHARLIE FOX; 4) COOPRIDERS; 5) ARAMARK CORRECTIONAL SERVICES LLC; and 6) TRENT ALLEN. (KAA) (Entered: 06/02/2025)
06/02/2025	14	Documents to be Sent via Electronic Notice - re 2 Complaint, 13 NOTICE of Lawsuit & Waiver Issued by Clerk, 12 Order on Motion Electronic Notice to IDOC. (KAA) (Entered: 06/02/2025)
06/17/2025	15	NOTICE of Appearance by Eric Ryan Shouse on behalf of Defendants TRENT ALLEN, ANDREW COLE, COOPRIDERS, CHARLIE FOX, DENNIS REAGLE. (Shouse, Eric) (Entered: 06/17/2025)
06/17/2025	16	WAIVER OF SERVICE Returned Executed, filed by ANDREW COLE, DENNIS REAGLE, TRENT ALLEN, CHARLIE FOX, COOPRIDERS. ANDREW COLE waiver sent on 6/2/2025; DENNIS REAGLE waiver sent on 6/2/2025; TRENT ALLEN waiver sent on 6/2/2025; CHARLIE FOX waiver sent on 6/2/2025; COOPRIDERS waiver sent on 6/2/2025. (Shouse, Eric) (Entered: 06/17/2025)
06/24/2025	17	NOTICE of Appearance by Christopher Douglas Cody on behalf of Defendant ARAMARK CORRECTIONAL SERVICES LLC. (Cody, Christopher) (Entered: 06/24/2025)
06/24/2025	18	WAIVER OF SERVICE Returned Executed, filed by ARAMARK CORRECTIONAL SERVICES LLC. ARAMARK CORRECTIONAL SERVICES LLC waiver sent on 5/30/2025. (Cody, Christopher) (Entered: 06/24/2025)
06/24/2025	19	Rule 7.1 Disclosure Statement by ARAMARK CORRECTIONAL SERVICES LLC. (Cody, Christopher) (Entered: 06/24/2025)

06/24/2025	20	NOTICE of Appearance by Georgianna Q. Tutwiler on behalf of Defendant ARAMARK CORRECTIONAL SERVICES LLC. (Tutwiler, Georgianna) (Entered: 06/24/2025)
07/29/2025	21	ANSWER to 2 Complaint , filed by ARAMARK CORRECTIONAL SERVICES LLC. (Tutwiler, Georgianna) (Entered: 07/29/2025)
08/01/2025	22	ANSWER to 2 Complaint <i>Affirmative Defenses, and Demand for Jury Trial</i> , filed by TRENT ALLEN, ANDREW COLE, COOPRIDER, CHARLIE FOX, DENNIS REAGLE. (Shouse, Eric) (Entered: 08/01/2025)
08/04/2025	23	Entry Directing Development of Exhaustion Defense and Issuing Partial Stay - In summary, the defendants have through October 3, 2025 to choose from one of the above options. Except 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. Signed by Magistrate Judge M. Kendra Klump on 08/04/2025. (AJG) (Entered: 08/05/2025)
10/02/2025	24	NOTICE <i>Requesting Pavey Hearing</i> , filed by Defendants TRENT ALLEN, ANDREW COLE, COOPRIDER, CHARLIE FOX, DENNIS REAGLE (Attachments: # 1 Exhibit A) (Shouse, Eric) (Entered: 10/02/2025)
10/03/2025	25	NOTICE <i>to Join Pavey Hearing Request</i> , filed by Defendant ARAMARK CORRECTIONAL SERVICES LLC, re 24 Notice (Other). (Cody, Christopher) (Entered: 10/03/2025)
10/07/2025	26	ORDER SCHEDULING PAVEY HEARING - This matter is before the Court on the Defendants' requests for a Pavey hearing on the issue of exhaustion of administrative remedies. (Dkts. 24 , 25). Defendants assert that there are material facts in dispute that preclude the resolution of Defendants' affirmative defense of failure to exhaust administrative remedies by means of a dispositive motion. The requests are GRANTED, and the Court SCHEDULES this case for a Pavey hearing on March 19, 2026 at 10:00 a.m. in Room 344, United States Courthouse, 46 East Ohio Street, Indianapolis, Indiana. A pre-Pavey telephonic status conference with the Magistrate Judge will be scheduled by separate order. The clerk is directed to send Plaintiff, James Higgason, a form motion for assistance with recruiting counsel along with his copy of this Order. If Mr. Higgason wants the Court to attempt to recruit counsel for the limited purpose of assisting him with the Pavey hearing, he must fill out, sign, and file this motion no later than November 7, 2025. Signed by District Judge Tanya Walton Pratt on 10/07/2025. (Attachments: # 1 Counsel Form) (AJG) (Entered: 10/07/2025)
10/10/2025	27	SCHEDULING ORDER: Telephonic Status Conference set for 2/13/2026 at 9:30 AM (Eastern Time) before Magistrate Judge M. Kendra Klump. The parties should be prepared to discuss preparing for the Pavey hearing. (See Dkt. 26). The Court will contact counsel by separate email through the Court's electronic filing system with the call-in information to be used to participate in the conference. Signed by Magistrate Judge M. Kendra Klump on 10/10/2025.(CCG) (Entered: 10/14/2025)
10/30/2025	29	MOTION to Appoint Counsel, filed by Plaintiff JAMES HIGGASON. (JRB) (Entered: 10/30/2025)
11/11/2025	30	MOTION to Withdraw Attorney Appearance <i>of Christopher Cody</i> , filed by Defendant ARAMARK CORRECTIONAL SERVICES LLC. (Attachments: # 1 Text of Proposed Order)(Tutwiler, Georgianna) (Entered: 11/11/2025)

11/12/2025	31	ORDER granting 30 Motion to Withdraw Attorney Appearance. Attorney Christopher Douglas Cody withdrawn. SEE ORDER. Signed by Magistrate Judge M. Kendra Klump on 11/12/2025. (JRB) (Entered: 11/13/2025)
11/19/2025	32	ORDER granting 29 Motion to Appoint Counsel to the extent that the Court will attempt to recruit counsel to represent the Plaintiff for purposes of the upcoming Pavey hearing, scheduled on March 19, 2026. Signed by District Judge Tanya Walton Pratt on 11/19/2025. (TPS) (Entered: 11/19/2025)

Case #: 1:24-cv-01154-TWP-MKK