

***** PUBLIC DOCKET *****
U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:23-cv-01258-MPB-MKK

JOHNSON v. REAGLE et al
Assigned to: District Judge Matthew P. Brookman
Referred to: Magistrate Judge M. Kendra Klump
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/19/2023
Jury Demand: None
Nature of Suit: 555 Prisoner Petitions
- Prison Condition
Jurisdiction: Federal Question

Plaintiff

DANNY LEROY JOHNSON

represented by

DANNY LEROY JOHNSON
956814
PENDLETON - CF
PENDLETON CORRECTIONAL
FACILITY
Inmate Mail/Parcels
4490 West Reformatory Road
PENDLETON, IN 46064
PRO SE

V.

Defendant

DENNIS REAGLE
Warden

represented by

DENNIS REAGLE
.
PRO SE

Defendant

MAYJOR CONYERS

represented by

MAYJOR CONYERS
.
PRO SE

Defendant

BRIAN MARTZ

represented by

BRIAN MARTZ
.
PRO SE

Defendant

HILL
Capt.

represented by

HILL
.
PRO SE

Defendant

J. MILLER
Sgt.

represented by

J. MILLER
.
PRO SE

Defendant

KYLE MCKINNEY
Lt.

represented by

KYLE MCKINNEY
.
PRO SE

Defendant

CHRISTINA CONYERS

represented by

CHRISTINA CONYERS
.
PRO SE

Defendant

GRAY

represented by

GRAY
.
PRO SE

Defendant

GRUMFIEL
Sgt.

represented by

GRUMFIEL
.
PRO SE

Defendant

A. KOENIG
Officer

represented by

A. KOENIG
.
PRO SE

Defendant

SAXTON
Officer

represented by

SAXTON
.
PRO SE

Defendant

FLEURY
Sgt.

represented by

FLEURY
.
PRO SE

Defendant

SOMMERS
Officer

represented by

SOMMERS
.
PRO SE

Defendant

AQUILLA LANAR

represented by

AQUILLA LANAR

.
PRO SE

Defendant

A. HARMON
Officer

represented by

A. HARMON

.
PRO SE

Defendant

TERRY
Officer

represented by

TERRY

.
PRO SE

Defendant

MATTHEW VANDINE

represented by

MATTHEW VANDINE

.
PRO SE

Date Filed	#	Docket Text
07/19/2023	<u>1</u>	COMPLAINT against CHRISTINA CONYERS, MAYJOR CONYERS, FLEURY, GRAY, GRUMFIEL, A. HARMON, HILL, A. KOENIG, AQUILLA LANAR, BRIAN MARTZ, KYLE MCKINNEY, J. MILLER, DENNIS REAGLE, SAXTON, SOMMERS, TERRY, filed by DANNY LEROY JOHNSON. (No fee paid with this filing) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(CCG) (Entered: 07/20/2023)
07/19/2023	<u>2</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # <u>1</u> Envelope)(CCG) (Entered: 07/20/2023)
07/20/2023	<u>3</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (CCG) (Entered: 07/20/2023)
07/20/2023	<u>4</u>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (CCG) (Entered: 07/20/2023)
07/21/2023	<u>5</u>	PRACTICES AND PROCEDURES before District Judge Matthew P Brookman. (AAS) (Entered: 07/21/2023)
07/21/2023	<u>6</u>	Submission of letter and information from Plaintiff's Mother, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # <u>1</u> Envelope)(SWM) (Entered: 07/24/2023)
07/24/2023	<u>7</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis the extent that the plaintiff is assessed an initial partial filing fee of \$1.50.

		The plaintiff shall have through August 25, 2023, in which to pay this sum to the clerk of the district court. Copy sent to Plaintiff via US Mail. Signed by District Judge Matthew P Brookman on 7/24/2023. (JRB) (Entered: 07/25/2023)
07/27/2023	<u>8</u>	NOTICE to Pro se Litigant - The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the Court. Copy to plaintiff by U.S. mail. (MEH) (Entered: 07/27/2023)
07/31/2023	<u>9</u>	Mail Returned as RETURN TO SENDER; NAME AND DOC# DO NOT MATCH. <u>3</u> Magistrate Judge's Notice of Availability to Exercise Jurisdiction, <u>4</u> NOTICE to File Rule 7.1 Disclosure Statement sent to DANNY LEROY JOHNSON at Pendleton CF. (JRB) (Entered: 08/01/2023)
08/03/2023	10	RECEIPT #6322 for partial filing fee in the amount of \$1.50, paid by Ella Davenport via credit card on behalf of DANNY JOHNSON. (DJH) (Entered: 08/03/2023)
08/04/2023	<u>11</u>	MOTION to Order Defendants to Give Legal Work, filed by Plaintiff DANNY LEROY JOHNSON. (TPS) (Entered: 08/10/2023)
08/04/2023	<u>12</u>	MOTION for Leave to File Amended Complaint, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # <u>1</u> Exhibit)(TPS) (Entered: 08/10/2023)
08/09/2023	<u>15</u>	MOTION to Amend Claim, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # <u>1</u> Exhibit) (LF) (Entered: 08/14/2023)
08/11/2023	<u>13</u>	ORDER on Motion to Amend Complaint - <u>12</u> Motion for Leave to File Amended Complaint is GRANTED. The plaintiff shall have through September 12, 2023, to file an amended complaint or the Court will proceed with screening his original complaint. See order for details. Signed by District Judge Matthew P. Brookman on 8/11/2023 (Copy mailed to Plaintiff). (LBT) (Entered: 08/11/2023)
08/11/2023	<u>16</u>	MOTION for Court Order, filed by Plaintiff DANNY LEROY JOHNSON. (AAS) (Entered: 08/17/2023)
08/11/2023	<u>17</u>	MOTION to Amend Claim, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # <u>1</u> Exhibit)(TPS) (Entered: 08/17/2023)
08/14/2023	<u>14</u>	ORDER Directing Monthly Payments be made from Prison Account of DANNY LEROY JOHNSON, 956814. Plaintiff's custodian is directed to withhold sums from the inmate trust account of DANNY LEROY JOHNSON, 956814, and to forward such sums to the Clerk of this Court. As of the issuance of this Order, the balance of the filing fee still due in this case is \$348.5. Copies to plaintiff and Warden via US Mail. Signed

		by Magistrate Judge M. Kendra Klump on 8/14/2023.(KAA) (Entered: 08/14/2023)
08/16/2023	<u>18</u>	MOTION to Amend to add defendants, filed by Plaintiff DANNY LEROY JOHNSON. (CW) (Entered: 08/21/2023)
08/23/2023	<u>19</u>	Correspondence REQUESTING COPY of Case Document(s) re <u>1</u> Complaint, filed by Danny Leroy Johnson. Copy/Copies provided via US Mail. (Attachments: # <u>1</u> Dkt. 1) (AAS) (Entered: 08/28/2023)
09/08/2023	<u>20</u>	MOTION for Extension of Time, filed by Plaintiff DANNY LEROY JOHNSON. (SWM) (Entered: 09/08/2023)
09/14/2023	<u>21</u>	Order: The plaintiff's motion for extension of time, dkt. <u>20</u> , is granted. The plaintiff shall have through October 12, 2023, to file an amended complaint or the Court will proceed with screening his original complaint. See Order. Signed by Magistrate Judge M. Kendra Klump on 9/14/2023. Copy sent to Plaintiff via US Mail. (LF) (Entered: 09/14/2023)
10/05/2023	<u>22</u>	**STRICKEN PER DKT. 29** AMENDED COMPLAINT against All Defendants, filed by DANNY LEROY JOHNSON.(CW) Modified on 2/2/2024 (LBT). (Entered: 10/06/2023)
10/05/2023	<u>23</u>	BRIEF in Support List of Grievances in Support of <u>22</u> Amended Complaint, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # <u>1</u> Exhibit)(CW) (Entered: 10/06/2023)
10/05/2023	<u>24</u>	Evidence in Support of <u>22</u> Amended Complaint, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # <u>1</u> Exhibit)(CW) (Entered: 10/06/2023)
10/11/2023	25	RECEIPT #7316 for partial filing fee in the amount of \$4.00, paid by DANNY JOHNSON. (DJH) (Entered: 10/11/2023)
11/09/2023	<u>26</u>	Letter from non-party Elle Davenport re Danny L. Johnson. (Attachments: # <u>1</u> Envelope) (KAA) (Entered: 11/13/2023)
01/08/2024	27	RECEIPT #8482 for Partial Filing fee in the amount of \$344.50, paid by Ella Davenport on behalf of DANNY LEROY JOHNSON. (CCG) (Entered: 01/08/2024)
01/10/2024	<u>28</u>	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. Any collection order issued pursuant to 28 U.S.C. § 1915(b) to collect the district court filing fee has been satisfied and no further payments associated with this filing fee shall be made, § 1915(b)(3). (See Order.) Signed by Magistrate Judge M. Kendra Klump on 1/10/2024. Copies distributed pursuant to distribution list. (JSR) (Entered: 01/11/2024)

02/02/2024	<u>29</u>	ORDER Denying Moot Motions to Amend, Dismissing Amended Complaint, and Directing Filing of Second Amended Complaint - <u>15</u> Motion to Amend Complaint, <u>17</u> Motion to Amend Complaint and <u>18</u> Motion to Amend Complaint are DENIED as moot. The Court will strike the amended complaint submitted on October 5, 2023. The plaintiff will be allowed to file a second amended complaint in this case incorporating only properly related claims by February 29, 2024. Any unrelated claim not pursued in this case must be brought in a separate action. The clerk is directed to include a complaint form with Mr. Johnson's copy of this Order. See Order for details. Signed by District Judge Matthew P. Brookman on 2/2/2024 (Copy mailed to Plaintiff). (Attachments: # <u>1</u> Blank Prisoner Complaint Form) (LBT) (Entered: 02/02/2024)
02/13/2024	<u>30</u>	ORDER DENYING PLAINTIFF'S MOTIONS FOR COURT ORDER - Because the Court has dismissed the first amended complaint, and no defendants have been served, the motion for court order, dkt. <u>16</u> , is denied without prejudice. Mr. Johnson's motion to order defendants to give him access to his property, including his grievance records, so he can submit them as evidence in this action, dkt. <u>11</u> , is denied as premature. If Mr. Johnson files an amended complaint raising viable related claims, he may serve discovery requests on the defendants seeking his grievance records after they answer the complaint, and the Court enters a scheduling order. Copy to plaintiff via US Mail. Signed by District Judge Matthew P. Brookman on 2/13/2024. (KAA) (Entered: 02/13/2024)
02/16/2024	<u>31</u>	Letter to the Court from Ella Davenport. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope) (LF) (Entered: 02/21/2024)
02/28/2024	<u>32</u>	Mail Returned as undeliverable: UNABLE TO FORWARD re <u>30</u> Order on Motion sent to DANNY LEROY JOHNSON. (TPS) (Entered: 02/28/2024)
03/04/2024	33	Dkt 30 resent to plaintiff at Pendleton Correctional Facility. Correct address per IDOC website. (MEH) (Entered: 03/04/2024)
05/13/2024	<u>34</u>	MOTION for Extension of Time to File an Amended Complaint, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # <u>1</u> Envelope)(JSR) (Entered: 05/15/2024)
05/16/2024	<u>35</u>	ORDER: Plaintiff's motion for extension of time, dkt. <u>34</u> , is granted to the extent that he shall have up to and including June 14, 2024, to file a second amended complaint as directed by the Court's Order of February 2, 2024. See dkt. 30. Given the length of the extension, further extensions of this deadline are not anticipated. ¹ The clerk is directed to enclose copies of the following with Plaintiff's copy of this Order: (1) public docket sheet; and (2) February 2, 2024, Order, dkt. <u>30</u> . See Order. Signed by Magistrate Judge M. Kendra Klump on 5/16/2024.(Copy mailed to

		Plaintiff.) (Attachments: # 1 Public Docket sheet, # 2 Docket 30) (LF) (Entered: 05/17/2024)
07/08/2024	36	ORDER DIRECTING ENTRY OF FINAL JUDGMENT: This action is dismissed for failure to prosecute. The Order of February 2, 2024, dismissed the operative complaint and gave the plaintiff an opportunity to file an amended complaint. Dkt. 29. The Court extended the plaintiff's deadline to respond, but the extended deadline has expired without response from him. Dkt. 35. Because the plaintiff has abandoned this action, it is properly dismissed without prejudice. Judgment dismissing this action shall now issue. See Order. Signed by District Judge Matthew P. Brookman on 7/8/2024.(Copy mailed to Plaintiff.) (LF) (Entered: 07/09/2024)
07/08/2024	37	FINAL JUDGMENT: The Court now enters FINAL JUDGMENT. The action is dismissed without prejudice. See Order. Signed by District Judge Matthew P. Brookman on 7/8/2024.(Copy mailed to Plaintiff.)(LF) (Entered: 07/09/2024)
07/24/2024	38	MOTION to Appoint Counsel, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # 1 Exhibit, # 2 Envelope)(JRB) (Entered: 07/25/2024)
07/31/2024	39	Mail Returned as undeliverable. 37 Closed Judgment, 36 Order sent to DANNY LEROY JOHNSON at Pendleton CF. Envelope marked return to sender, offender refused. (LBT) (Entered: 08/01/2024)
08/01/2024	41	Submission and Letter in Support on Behalf of Plaintiff filed by Non-Party Ella Johnson. (Attachments: # 1 Envelope) (JSR) (Entered: 08/06/2024)
08/02/2024	40	MOTION to Appoint Counsel, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # 1 Attachments) (CKM) (Entered: 08/05/2024)
08/08/2024	42	MOTION for Extension of Time, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # 1 Exhibit, # 2 Envelope) (JSR) (Entered: 08/09/2024)
08/19/2024	43	Letter from Ella Davenport non party on behalf of Danny Johnson. (Attachments: # 1 Envelope) (LF) (Entered: 08/20/2024)
01/06/2025	44	ORDER GRANTING IN PART MOTIONS FOR COUNSEL AND DIRECTING CLERK TO REOPEN CASE - The Court grants Mr. Johnson's motions for the appointment of counsel, dkt. 38 and dkt. 40 , and motion for extension of time, dkt. 42 , to the limited extent that the Court will attempt to recruit counsel to represent for the limited purpose of drafting an amended complaint. The clerk is directed to reopen this action on the docket. The Magistrate Judge is requested to set a telephonic

		status conference after counsel is appointed. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by District Judge Matthew P. Brookman on 1/6/2025.(JRB) (Entered: 01/06/2025)
03/17/2025	45	Letter from Ella Davenport on Behalf of DANNY JOHNSON. (Attachments: # 1 Exhibit) (TPS) (Entered: 03/18/2025)
03/26/2025	46	MOTION to Add Evidence, filed by Plaintiff DANNY LEROY JOHNSON. (Attachments: # 1 Exhibit)(JRB) (Entered: 03/26/2025)
04/07/2025	47	ORDER - Before the Court is Plaintiff's Motion to Add Evidence, Dkt. 46 . Plaintiff's Motion is DENIED. On January 6, 2025, the Court granted Plaintiff's Motion for Appointment of Counsel for the limited purpose of drafting an amended complaint. Any factual allegation Plaintiff wishes to pursue in this action can be included in his amended complaint. Signed by Magistrate Judge M. Kendra Klump on 4/7/2025. Copy to Plaintiff via US mail. (JSR) (Entered: 04/07/2025)

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