

# \*\*\* PUBLIC DOCKET \*\*\*

**U.S. District Court  
Southern District of Indiana (Indianapolis)  
CIVIL DOCKET FOR CASE #: 1:23-cv-01752-MPB-KMB**

MONTEIRO v. CARTER et al  
Assigned to: District Judge Matthew P. Brookman  
Referred to: Magistrate Judge Kellie M. Barr  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/28/2023  
Jury Demand: Both  
Nature of Suit: 555 Prisoner Petitions -  
Prison Condition  
Jurisdiction: Federal Question

**Plaintiff**

**AUSTIN LEE MONTEIRO**

represented by **AUSTIN LEE MONTEIRO**  
264774  
NEW CASTLE - CF  
NEW CASTLE CORRECTIONAL  
FACILITY - Inmate Mail/Parcels  
1000 Van Nuys Road  
P.O. Box E  
NEW CASTLE, IN 47362  
PRO SE

V.

**Defendant**

**JASON CARTER**  
*MD*

represented by **Jaclyn Michelle Flint**  
RILEY BENNETT EGLOFF LLP  
500 N. Meridian Street  
Suite 550  
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*ATTORNEY TO BE NOTICED*

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*ATTORNEY TO BE NOTICED*

**Defendant**

**STEPHANIE RILEY**

represented by **Jaclyn Michelle Flint**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laura K. Binford**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**CENTURION HEALTH OF INDIANA**

represented by **Jaclyn Michelle Flint**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laura K. Binford**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/28/2023	<a href="#">1</a>	COMPLAINT against JASON CARTER, UNIDENTIFIED IDOC MEDICAL ADMINISTRATION EMPLOYEE, filed by AUSTIN LEE MONTEIRO. (No fee paid with this filing) (Attachments: # <a href="#">1</a> Envelope)(CCG) (Entered: 09/29/2023)
09/28/2023	<a href="#">2</a>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Envelope)(CCG) (Entered: 09/29/2023)
09/29/2023	<a href="#">3</a>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (CCG) (Entered: 09/29/2023)
09/29/2023	<a href="#">4</a>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (CCG) (Entered: 09/29/2023)
10/03/2023	<a href="#">5</a>	NOTICE to Pro se Litigant - The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the Court. (Copy sent to plaintiff via US mail). (JRT) (Entered: 10/03/2023)
10/05/2023	<a href="#">6</a>	Prisoner Trust Fund Account Statement in support of <a href="#">2</a> Motion for Leave to Proceed in forma pauperis by AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Envelope)(CW) (Entered: 10/06/2023)
10/12/2023	<a href="#">7</a>	ORDER granting <a href="#">2</a> Motion for Leave to Proceed in forma pauperis to the extent that the plaintiff is assessed an initial partial filing fee of Eighteen Dollars and Twenty-Three Cents (\$18.23). The plaintiff shall have through November 7, 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 10/12/2023. (JRB) (Entered: 10/12/2023)
10/12/2023	<a href="#">8</a>	Submission of Amended Statement of Parties and Citizenship, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Envelope) (JSR) (Entered: 10/16/2023)
11/13/2023	9	RECEIPT #EV681 for Partial Filing Fee fee in the amount of \$18.23, paid by Austin Montiero. (JRB) (Entered: 11/13/2023)
01/22/2024	<a href="#">10</a>	Order Screening Complaint and Directing Further Proceedings - First, any claim against an unidentified defendant is dismissed because "it is pointless to include [an] anonymous defendant [ ] in federal court; this type of placeholder does not open the door to relation back under Fed.R.Civ.P. 15, nor can it otherwise help the plaintiff." This summary of claims includes all of the viable claims identified by the Court. All other claims have been dismissed. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have through February 16, 2024, in which to identify those claims. The clerk is directed to terminate Unidentified IDOC Medical Administration Employee as a defendant on the docket. The clerk is directed pursuant to Fed. R. Civ. P.

		4(c)(3) to issue process to the defendant in the manner specified by Rule 4(d). Process shall consist of the complaint, forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. Defendants Dr. Mershon is identified as an employee of Centurion. A copy of this Order and the process documents shall also be served on Centurion electronically. Centurion is ORDERED to provide the full name and last known home address of any defendant who does not waive service if they have such information. This information may be provided to the Court informally or may be filed ex parte. SEE ORDER. Copies provided per distribution list. Signed by District Judge Matthew P. Brookman on 1/22/2024.(AAS) (Entered: 01/22/2024)
01/22/2024	<a href="#">11</a>	NOTICE of Lawsuit & Waiver Issued by Clerk to Dr. Mershon. (AAS) (Entered: 01/22/2024)
01/22/2024	<a href="#">12</a>	Documents to be Sent via Electronic Notice - re <a href="#">1</a> Complaint, <a href="#">10</a> Screening Order, <a href="#">11</a> NOTICE of Lawsuit & Waiver Issued by Clerk Electronic Notice to Centurion. (AAS) (Entered: 01/22/2024)
02/07/2024	<a href="#">13</a>	AMENDED COMPLAINT against All Defendants, filed by AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Envelope)(LBT) (Entered: 02/09/2024)
02/13/2024	<a href="#">14</a>	NOTICE of Appearance by Laura K. Binford on behalf of Defendant JASON CARTER. (Binford, Laura) (Entered: 02/13/2024)
02/13/2024	<a href="#">15</a>	NOTICE of Appearance by Jaclyn Michelle Flint on behalf of Defendant JASON CARTER. (Flint, Jaclyn) (Entered: 02/13/2024)
02/13/2024	<a href="#">16</a>	WAIVER OF SERVICE Returned Executed, filed by JASON CARTER. JASON CARTER waiver sent on 1/22/2024. (Binford, Laura) (Entered: 02/13/2024)
03/07/2024	<a href="#">17</a>	Order Screening Amended Complaint and Directing Further Proceedings - This summary of claims includes all of the viable claims identified by the Court. All other claims have been dismissed. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have through April 4, 2024, in which to identify those claims. Dr. Carter has already waived service and appeared by counsel. He shall have twenty-one days to answer the amended complaint. The clerk shall add Dr. Riley as a defendant and is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to Dr. Riley in the manner specified by Rule 4(d). Process shall consist of the amended complaint, dkt <a href="#">13</a> , applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. Dr. Riley is identified as an employee of Centurion. A copy of this Order and the process documents shall also be served on Centurion electronically. Centurion is ORDERED to provide the full name and last known home address of any defendant who does not waive service if they have such information. This information may be provided to the Court informally or may be filed ex parte. Nothing in this Order prohibits the filing of a proper motion pursuant to Rule 12 of the Federal Rules of Civil Procedure. Copy to Plaintiff via US Mail. Signed by District Judge Matthew P. Brookman on 03/07/2024.(AAS) (Entered: 03/08/2024)
03/08/2024	<a href="#">18</a>	NOTICE of Lawsuit & Waiver Issued by Clerk to Dr. Stephanie Riley. (AAS) (Entered: 03/08/2024)
03/08/2024	<a href="#">19</a>	Documents to be Sent via Electronic Notice - re <a href="#">13</a> Amended Complaint, <a href="#">18</a> NOTICE of Lawsuit & Waiver Issued by Clerk, <a href="#">17</a> Order Electronic Notice to Centurion. (AAS) (Entered: 03/08/2024)
03/20/2024	<a href="#">20</a>	NOTICE of Appearance by Laura K. Binford on behalf of Defendant STEPHANIE RILEY. (Binford, Laura) (Entered: 03/20/2024)

03/20/2024	<a href="#">21</a>	NOTICE of Appearance by Jaclyn Michelle Flint on behalf of Defendant STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 03/20/2024)
03/20/2024	<a href="#">22</a>	WAIVER OF SERVICE Returned Executed, filed by STEPHANIE RILEY. STEPHANIE RILEY waiver sent on 3/8/2024. (Binford, Laura) (Entered: 03/20/2024)
03/28/2024	<a href="#">23</a>	ANSWER to <a href="#">13</a> Amended Complaint <i>and Affirmative Defenses</i> , filed by JASON CARTER, STEPHANIE RILEY.(Flint, Jaclyn) (Entered: 03/28/2024)
04/15/2024	<a href="#">24</a>	Entry Directing Development of Exhaustion Defense and Issuing Partial Stay - The defendants have asserted the affirmative defense that the plaintiff failed to exhaust his administrative remedies prior to filing this lawsuit as required by the Prison Litigation Reform Act. This defense must be resolved before reaching the merits of this case. The exhaustion defense will be resolved pursuant to the following schedule. 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. (See Entry.) Signed by Magistrate Judge Kellie M. Barr on 4/15/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 04/15/2024)
05/03/2024	<a href="#">25</a>	MOTION to Appoint Counsel, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Envelope) (JSR) (Entered: 05/06/2024)
05/24/2024	<a href="#">26</a>	NOTICE of <i>Withdrawal of Exhaustion of Admin Remedies Affirmative Def</i> , filed by Defendants JASON CARTER, STEPHANIE RILEY, re <a href="#">24</a> Entry. (Flint, Jaclyn) (Entered: 05/24/2024)
05/29/2024	<a href="#">27</a>	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 12/30/2024. Discovery due by 11/29/2024. Signed by Magistrate Judge Kellie M. Barr on 5/29/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 05/29/2024)
05/29/2024	<a href="#">28</a>	ORDER SETTING INITIAL DISCOVERY CONFERENCE - A Telephonic Initial Discovery Conference is set for 8/19/2024 at 2:30 PM (Eastern Time) before Magistrate Judge Kellie M. Barr. The Court will contact counsel through the Court's electronic filing system with the call-in information to be used to participate in this conference. (See Order.) Signed by Magistrate Judge Kellie M. Barr on 5/29/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 05/29/2024)
05/29/2024	<a href="#">29</a>	ORDER to Make Inmate Available via Telephone - Warden of New Castle Correctional Facility ordered to make Austin Lee Monteiro available via telephone for court proceeding on 8/19/2024 at 2:30 p.m. (Eastern). (See Order.) Signed by Magistrate Judge Kellie M. Barr on 5/29/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 05/29/2024)
06/05/2024	<a href="#">30</a>	ORDER DENYING WITHOUT PREJUDICE MOTION FOR ASSISTANCE WITH RECRUITING COUNSEL - The Court finds that he has not made a reasonable effort to recruit counsel on his own before seeking the Court's assistance. His motion for assistance with recruiting counsel, dkt. <a href="#">25</a> , must therefore be denied. The clerk is directed to send Plaintiff 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 trial. Copy to Plaintiff via US mail. Signed by District Judge Matthew P. Brookman on 06/05/2024. (Attachments: # <a href="#">1</a> Counsel Form) (AJG) (Entered: 06/05/2024)

07/29/2024	<a href="#">31</a>	NOTICE of Service of Initial Disclosures , filed by Defendants JASON CARTER, STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 07/29/2024)
08/15/2024	<a href="#">32</a>	GRANTED MOTION for Extension of Time to Amend Complaint, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Envelope)(LBT) Modified on 8/20/2024 to reflect granting re: dkt. 35 (MJL). (Entered: 08/15/2024)
08/20/2024	<a href="#">34</a>	NOTICE <i>Regarding Claimed Issues with Initial Disclosures and Motion to Compel Destruction of Inadvertently Produced Medical Record</i> , filed by Defendants JASON CARTER, STEPHANIE RILEY (Attachments: # <a href="#">1</a> Text of Proposed Order on Defendant's Notice Regarding Claimed Issues with Initial Disclosures and Motion to Compel Destruction of Inadvertently Produced Medical Record) (Flint, Jaclyn) (Entered: 08/20/2024)
08/20/2024	<a href="#">35</a>	MINUTE ORDER for proceedings held before Magistrate Judge Kellie M. Barr: The Parties appeared for a Telephonic Discovery Conference with Magistrate Judge Kellie M. Barr on August 19, 2024. Plaintiff appeared pro se, and Defendants were represented by counsel. The Parties discussed case status, the case schedule, and the discovery process. Defendants have provided initial disclosures to Plaintiff including a witness list and medical records. Plaintiff acknowledged receiving these materials but explained that some pages were blank and that he received some medical records of a non-party prisoner. Counsel for Defendants agreed to promptly review the records that were produced and correct any deficiencies by supplementing their initial disclosures. Defendants shall file a notice that they have done so by August 30, 2024. Plaintiff states that he mailed his initial disclosures to counsel for Defendants, but counsel reports that she did not receive them. Plaintiff agreed to resend the initial disclosures and his settlement demand. He shall file a notice that this has been done no later than August 30, 2024. Plaintiff sought discovery from non-party Centurion Health before the conference, which was premature under the terms of the scheduling order. Dkt. 28. The Clerk shall include oneendorsed, but otherwise blank, subpoena for the production of documents with Plaintiff's copy of this Order. The Court heard argument on Plaintiff's motion for an extension of time to file a motion to amend his complaint. Noting the Defendants' objection, the Court GRANTED Plaintiff's motion. Dkt. <a href="#">32</a> . Plaintiff shall have through September 19, 2024, to file a motion to amend his complaint. That motion should be accompanied by a proposed amended complaint. The conference concluded with no further orders at this time. Signed by Magistrate Judge Kellie M. Barr. (MJL) (Entered: 08/20/2024)
08/30/2024	<a href="#">36</a>	Letter from Plaintiff. (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Envelope) (LF) (Entered: 09/03/2024)
08/30/2024	<a href="#">37</a>	AMENDED COMPLAINT against All Defendants, filed by AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Envelope)(LF) (Entered: 09/03/2024)
09/30/2024	<a href="#">38</a>	NOTICE <i>of Service of Expert Disclosures</i> , filed by Defendants JASON CARTER, STEPHANIE RILEY (Flint, Jaclyn) (Entered: 09/30/2024)
10/03/2024	<a href="#">39</a>	NOTICE Regarding Settlement Conference, filed by Plaintiff AUSTIN LEE MONTEIRO (Attachments: # <a href="#">1</a> Envelope) (LF) (Entered: 10/03/2024)
10/18/2024	<a href="#">40</a>	MOTION to Appoint Counsel, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Envelope)(AJG) (Entered: 10/21/2024)
10/29/2024	<a href="#">41</a>	NOTICE <i>Regarding Settlement Conference</i> , filed by Defendants JASON CARTER, STEPHANIE RILEY (Flint, Jaclyn) (Entered: 10/29/2024)
11/15/2024	<a href="#">42</a>	Order Screening Second Amended Complaint and Directing Further Proceedings Plaintiff Austin Monteiro is a prisoner currently incarcerated at New Castle Correctional Facility. He alleges in this lawsuit that he was denied medical care for his cystic kidney disease and pain. Because the plaintiff is a "prisoner," this Court screened his original and first

		amended complaints before service on the defendants. 28 U.S.C. § 1915A(a), (c). Mr. Monteiro has filed a second amended complaint, which is also subject to screening. The clerk is directed to add Centurion Health of Indiana as a defendant on the docket. Drs. Carter and Riley have already appeared and answered the amended complaint. They shall have 21 days to answer the second amended complaint. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to Centurion in the manner specified by Rule 4(d). Process shall consist of the second amended complaint, dkt <a href="#">37</a> , applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. A copy of this Order and the process documents shall also be served on Centurion electronically. Nothing in this Order prohibits the filing of a proper motion pursuant to Rule 12 of the Federal Rules of Civil Procedure. Copies Distributed Pursuant to Distribution List. Signed by District Judge Matthew P. Brookman on 11/15/2024. (AJG) (Entered: 11/15/2024)
11/15/2024	<a href="#">43</a>	NOTICE of Lawsuit & Waiver Issued by Clerk Upon Centurion Health Of Indiana. (AJG) (Entered: 11/15/2024)
11/15/2024	<a href="#">44</a>	Documents to be Sent via Electronic Notice - re <a href="#">42</a> Order, <a href="#">37</a> Amended Complaint, <a href="#">43</a> NOTICE of Lawsuit & Waiver Issued by Clerk Electronic Notice to Centurion. (AJG) (Entered: 11/15/2024)
11/21/2024	<a href="#">45</a>	WAIVER OF SERVICE Returned Executed, filed by CENTURION HEALTH OF INDIANA. CENTURION HEALTH OF INDIANA waiver sent on 11/15/2024. (Flint, Jaclyn) (Entered: 11/21/2024)
12/06/2024	<a href="#">46</a>	NOTICE of Appearance by Laura K. Binford on behalf of Defendant CENTURION HEALTH OF INDIANA. (Binford, Laura) (Entered: 12/06/2024)
12/06/2024	<a href="#">47</a>	NOTICE of Appearance by Jaclyn Michelle Flint on behalf of Defendant CENTURION HEALTH OF INDIANA. (Flint, Jaclyn) (Entered: 12/06/2024)
12/06/2024	<a href="#">48</a>	<i>Centurion Defendants' ANSWER to <a href="#">37</a> Amended Complaint and Affirmative Defenses to Plaintiff's Second Amended Complaint and Statement of Parties and Citizenship</i> , filed by CENTURION HEALTH OF INDIANA, JASON CARTER, STEPHANIE RILEY.(Flint, Jaclyn) (Entered: 12/06/2024)
12/11/2024	<a href="#">49</a>	Order: Plaintiff Austin Monteiro, who is incarcerated at New Castle Correctional Facility, alleges in this case that he was denied medical care for his cystic kidney disease and pain. Those claims have been proceeding against defendants Jason Carter and Stephanie Riley. Mr. Monteiro has recently amended his complaint to add claims against Centurion Health of Indiana. See dkt. <a href="#">42</a> . Therefore, the Court amends the deadlines in the Order Setting Pretrial Schedule, dkt. <a href="#">27</a> , as follows: The parties shall have through February 4, 2025, to complete discovery, and through March 4, 2025, to file dispositive motions. See Order. Signed by Magistrate Judge Kellie M. Barr on 12/11/2024.(Copy sent to Plaintiff via US Mail.) (LF) (Entered: 12/11/2024)
12/16/2024	<a href="#">50</a>	ORDER denying <a href="#">40</a> Motion for Assistance with Recruiting Counsel - SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by District Judge Matthew P. Brookman on 12/16/2024. (JRB) (Entered: 12/16/2024)
12/30/2024	<a href="#">51</a>	Exhibit List <i>Preliminary</i> , filed by Defendants CENTURION HEALTH OF INDIANA, JASON CARTER, STEPHANIE RILEY, Witness List <i>Preliminary</i> , filed by Defendants CENTURION HEALTH OF INDIANA, JASON CARTER, STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 12/30/2024)
12/30/2024	<a href="#">52</a>	Submission of Proposed Subpoena, filed by Plaintiff AUSTIN LEE MONTEIRO. (JRB) (Entered: 12/31/2024)

01/10/2025	<a href="#">53</a>	Submission of Certificates of Service, filed by Plaintiff AUSTIN LEE MONTEIRO. (AAS) (Entered: 01/10/2025)
02/04/2025	<a href="#">54</a>	MOTION to Extend Deadlines , filed by Defendants CENTURION HEALTH OF INDIANA, JASON CARTER, STEPHANIE RILEY. (Attachments: # <a href="#">1</a> Text of Proposed Order Granting Centurion Defendants' Motion to Extend Case Management Deadlines & Time to Respond to Plaintiff's First Discovery Requests)(Flint, Jaclyn) (Entered: 02/04/2025)
02/07/2025	<a href="#">55</a>	NOTICE <i>of Service of Responses to Plaintiff's Request for Admissions</i> , filed by Defendants CENTURION HEALTH OF INDIANA, JASON CARTER, STEPHANIE RILEY (Flint, Jaclyn) (Entered: 02/07/2025)
02/20/2025	<a href="#">56</a>	NOTICE of Certificate of Service, filed by Plaintiff AUSTIN LEE MONTEIRO (LBT) (Entered: 02/21/2025)
02/20/2025	<a href="#">57</a>	MOTION to Issue Subpoena, filed by Plaintiff AUSTIN LEE MONTEIRO. (LBT) (Entered: 02/21/2025)
02/24/2025	<a href="#">58</a>	ORDER granting <a href="#">54</a> Motion to Extend Deadlines - Dispositive Motions due by 4/3/2025. Discovery due by 3/6/2025. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants, Jason Carter, Stephanie Riley, and Centurion Health of Indiana, LLC, by counsel, shall have through and including March 5, 2025, to respond to Plaintiff's First Interrogatories, Request for Production of Documents, and Requests for Admission. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Kellie M. Barr on 2/24/2025.(JRB) (Entered: 02/24/2025)
03/07/2025	<a href="#">59</a>	MOTION for Protective Order , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Attachments: # <a href="#">1</a> Exhibit 1 - Centurion Defendants' Responses to Plaintiff's Request for Admissions, # <a href="#">2</a> Exhibit 2 - Plaintiff's Request for Secondary Admissions, # <a href="#">3</a> Text of Proposed Order Granting Centurion Defendants' Motion for Protective Order Regarding Second Requests for Admission)(Flint, Jaclyn) (Entered: 03/07/2025)
03/20/2025	<a href="#">60</a>	MOTION to Extend Deadlines, filed by Plaintiff AUSTIN LEE MONTEIRO. (JRB) (Entered: 03/20/2025)
03/21/2025	<a href="#">61</a>	NOTICE <i>of Service of Responses to Plaintiff's Secondary Request for Admissions</i> , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY (Flint, Jaclyn) (Entered: 03/21/2025)
03/26/2025	<a href="#">62</a>	ORDER - The Court finds his Motion to Issue Subpoena should be DENIED as untimely. <a href="#">57</a> Mr. Monteiro's has also filed a <a href="#">60</a> Motion to Extend Deadlines. The Court finds this Motion should be GRANTED IN PART such that the dispositive motions deadline in this case is extended until April 17, 2025. The Court finds that Defendants' Motion for a Protective Order should be DENIED AS MOOT. <a href="#">59</a> . SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Kellie M. Barr on 3/26/2025.(JRB) (Entered: 03/27/2025)
03/27/2025	<a href="#">63</a>	MOTION for Extension of Time for Discovery, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Cover Letter)(TPS) (Entered: 03/28/2025)
03/27/2025	<a href="#">64</a>	Amended REQUEST for Production of Documents, filed by Plaintiff AUSTIN LEE MONTEIRO.(TPS) (Entered: 03/28/2025)
03/27/2025	<a href="#">65</a>	MOTION to Amend Request of Production of Documents, filed by Plaintiff AUSTIN LEE MONTEIRO. (TPS) (Entered: 03/28/2025)

04/08/2025	<a href="#">66</a>	MOTION to Amend Admissions, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Cover Letter)(TPS) (Entered: 04/09/2025)
04/08/2025	<a href="#">67</a>	Amended Interrogatories and REQUEST for Production of Documents, filed by Plaintiff AUSTIN LEE MONTEIRO.(TPS) (Entered: 04/09/2025)
04/08/2025	<a href="#">68</a>	MOTION to Amend Interrogatories, filed by Plaintiff AUSTIN LEE MONTEIRO. (TPS) (Entered: 04/09/2025)
04/08/2025	<a href="#">69</a>	MOTION for Amended Admissions, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Exhibit)(TPS) (Entered: 04/09/2025)
04/08/2025	<a href="#">70</a>	Certificate of Service, filed by Plaintiff AUSTIN LEE MONTEIRO. (TPS) (Entered: 04/09/2025)
04/10/2025	<a href="#">71</a>	RESPONSE in Opposition re <a href="#">66</a> MOTION to Amend/Correct, <a href="#">63</a> MOTION for Extension of Time to, <a href="#">68</a> MOTION to Amend/Correct, <a href="#">65</a> MOTION to Amend/Correct, <a href="#">69</a> MOTION to Amend/Correct to Plaintiff's Motions to Extend Discovery and to Amend Discovery Requests, filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 04/10/2025)
04/17/2025	<a href="#">72</a>	MOTION for Summary Judgment , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 04/17/2025)
04/17/2025	<a href="#">73</a>	BRIEF/MEMORANDUM in Support re <a href="#">72</a> MOTION for Summary Judgment , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 04/17/2025)
04/17/2025	<a href="#">74</a>	Designation of Evidence re <a href="#">72</a> MOTION for Summary Judgment , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Attachments: # <a href="#">1</a> Exhibit)(Flint, Jaclyn) (Entered: 04/17/2025)
04/17/2025	<a href="#">75</a>	*** SEALED PER ORDER <a href="#">80</a> *** SEALED , re <a href="#">74</a> Designation of Evidence, filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit, # <a href="#">4</a> Exhibit, # <a href="#">5</a> Exhibit, # <a href="#">6</a> Exhibit)(Flint, Jaclyn) Modified on 5/14/2025 (CKM). (Entered: 04/17/2025)
04/17/2025	<a href="#">76</a>	MOTION to Maintain Document Under Seal <a href="#">75</a> SEALED Document (Case Participants - doc) , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Flint, Jaclyn) (Entered: 04/17/2025)
04/17/2025	<a href="#">77</a>	BRIEF/MEMORANDUM in Support re <a href="#">76</a> MOTION to Maintain Document Under Seal <a href="#">75</a> SEALED Document (Case Participants - doc) , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 04/17/2025)
04/17/2025	<a href="#">78</a>	NOTICE Regarding Right to Respond to and Submit Evidence in Opposition to Motion for Summary Judgment, filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY (Flint, Jaclyn) (Entered: 04/17/2025)
04/23/2025	<a href="#">79</a>	ORDER ON PLAINTIFF'S PENDING DISCOVERY MOTIONS AND ORDER SUA SPONTE EXTENDING PLAINTIFF'S MOTION TO RESPOND TO THE DEFENDANTS' MOTION FOR SUMMARY JUDGMENT - Pro se Plaintiff Austin Lee Monteiro, a prisoner at New Castle Correctional Facility, has filed five motions related to discovery. [Dkts. 63; 65; 66; 68; 69.] The Court notes that he filed all of these motions after the deadline to complete discovery had already expired. His Motion to Extend Discovery. Dkt. <a href="#">63</a> , is DENIED to the extent that the Court will not reopen the period to conduct open-ended discovery. However, the motion is GRANTED to the extent that the

		Defendants are ordered to respond to Mr. Monteiro's additional interrogatories and request for production. His Motion to Amend Interrogatories, Dkt. <a href="#">68</a> is GRANTED. Mr. Monteiro's Motion to Amend Request for Production, Dkt. <a href="#">65</a> is DENIED. The Court finds that Mr. Monteiro has not shown good cause to serve these additional and/or modified requests for admissions, and his motions, [dchts. <a href="#">66</a> ; <a href="#">69</a> , are DENIED. <b>SEE ORDER.</b> Signed by Magistrate Judge Kellie M. Barr on 4/23/2025. (Copy to plaintiff via US Mail.) (KAQ) (Entered: 04/23/2025)
05/13/2025	<a href="#">80</a>	ORDER granting <a href="#">76</a> MOTION to Maintain Document Under Seal <a href="#">75</a> SEALED Document (Case Participants - doc) . Signed by Magistrate Judge Kellie M. Barr on 5/13/2025. (See Order.) Copy mailed to Plaintiff. (BAA) (Entered: 05/13/2025)
05/22/2025	<a href="#">81</a>	RESPONSE to <a href="#">72</a> Motion for Summary Judgment, filed by Plaintiff AUSTIN LEE MONTEIRO. (BAA) (Entered: 05/22/2025)
05/22/2025	<a href="#">82</a>	DECLARATION in Support of <a href="#">81</a> Response to <a href="#">72</a> Motion for Summary Judgment by AUSTIN LEE MONTEIRO. (BAA) (Entered: 05/22/2025)
05/22/2025	<a href="#">83</a>	AFFIDAVIT in Support of Response to <a href="#">72</a> MOTION for Summary Judgment , filed by Plaintiff AUSTIN LEE MONTEIRO. (BAA) (Entered: 05/22/2025)
06/05/2025	<a href="#">84</a>	REPLY in Support of Motion re <a href="#">72</a> MOTION for Summary Judgment , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 06/05/2025)
06/16/2025	<a href="#">85</a>	DECLARATION by AUSTIN LEE MONTEIRO. (AJG) (Entered: 06/18/2025)
06/16/2025	<a href="#">86</a>	MOTION for Preliminary Injunction filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Exhibit) (BAA) (Entered: 06/18/2025)
06/25/2025	<a href="#">87</a>	Order Directing Defendants to Respond to Motion for Preliminary Injunction - The defendants are directed to file a response to the motion for preliminary injunction by July 8, 2025. Mr. Monteiro shall then have through July 29, 2025, to file any reply. Signed by District Judge Matthew P. Brookman on 06/25/2025. Copy to Plaintiff via US Mail.(AAS) (Entered: 06/25/2025)
07/08/2025	<a href="#">88</a>	RESPONSE in Opposition re <a href="#">86</a> MOTION for Preliminary Injunction , filed by Defendants JASON CARTER, CENTURION HEALTH OF INDIANA, STEPHANIE RILEY. (Flint, Jaclyn) (Entered: 07/08/2025)
08/04/2025	<a href="#">89</a>	MOTION for Extension of Time in which to reply to <a href="#">88</a> Response in Opposition to <a href="#">86</a> Motion, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Cover Letter) (SAM) Modified on 8/6/2025 (SAM). (Entered: 08/05/2025)
08/15/2025	<a href="#">90</a>	***DISREGARD ENTRY - MADE IN ERROR*** PRACTICES AND PROCEDURES before Magistrate Judge Kellie M. Barr. (BAA) (Entered: 08/15/2025)
08/15/2025	<a href="#">91</a>	ORDER - Presently pending before the Court is pro se Plaintiff Austin Monteiro's Motion for Extension of Time. [Dkt. <a href="#">89</a> .] The Court will GRANT Mr. Monteiro's request such that he has until August 28, 2025, to file his Reply to Defendants' opposition, [dkt. <a href="#">88</a> ]. The Clerk is also directed to send Mr. Monteiro a copy of Defendants' Response in Opposition at dkt. <a href="#">88</a> . Signed by Magistrate Judge Kellie M. Barr on 8/15/2025. (See Order.) Copies mailed to Plaintiff. (BAA) (Entered: 08/15/2025)
08/22/2025	<a href="#">92</a>	Reply in Opposition to Response to dkt <a href="#">88</a> re <a href="#">86</a> MOTION for Preliminary Injunction, filed by Plaintiff AUSTIN LEE MONTEIRO. (Attachments: # <a href="#">1</a> Exhibit) (BAA) (Entered: 08/25/2025)

02/02/2026	<a href="#">93</a>	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND DENYING PRELIMINARY INJUNCTION - Defendants' motion for summary judgment is GRANTED in part and DENIED in part. Dkt. <a href="#">72</a> . Summary judgment is granted in favor of Dr. Carter and Centurion on all claims and in favor of Dr. Riley as to the claim of denial of tramadol. Summary judgment is denied as to the claim regarding denial of tolvaptan by Dr. Riley. Mr. Monteiro's motion for a preliminary injunction is DENIED. Dkt. <a href="#">86</a> . The Court sua sponte RECONSIDERS its order denying Mr. Montiero's request for assistance recruiting counsel. The Court now GRANTS that motion, dkt. <a href="#">40</a> . Once counsel has been recruited, the magistrate judge is asked to schedule a telephonic status conference to discuss further proceedings. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by District Judge Matthew P. Brookman on 2/2/2026. (JRB) (Entered: 02/03/2026)
02/03/2026	<a href="#">94</a>	SCHEDULING ORDER - This cause is hereby set for a JURY TRIAL before the Honorable Matthew P. Brookman, United States District Judge on AUGUST 18, 2026, at 9:00 a.m., Indianapolis time (EDT), in Room 349 of the Birch Bayh Federal Building/U.S. Courthouse, 46 East Ohio Street, Indianapolis, Indiana. A FINAL PRE-TRIAL CONFERENCE is set for JULY 9, 2026, 9:00 a.m., Indianapolis time (EDT), in Room 329 of the Birch Bayh Federal Building/U.S. Courthouse, 46 East Ohio Street, Indianapolis, Indiana. Signed by District Judge Matthew P. Brookman on 02/03/2026. (AJG) (Entered: 02/03/2026)

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