

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

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:23-cv-01925-RLY-TAB**

MOTON v. MCCAFFERTY et al
Assigned to: District Judge Richard L Young
Referred to: Magistrate Judge Tim A. Baker
Demand: \$5,000,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/26/2023
Jury Demand: Defendant
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff

ANDRE MOTON

represented by **ANDRE MOTON**
231926
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

SHAVER
Unit Team Manager

represented by **Carlton Wayne Anker**
Lewis and Wilkins LLP
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Defendant

DENNIS REAGLE
Warden

represented by **Carlton Wayne Anker**
(See above for address)
ATTORNEY TO BE NOTICED

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

James Bolen
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

J. SCAIFFEE
Deputy Warden

represented by **Carlton Wayne Anker**
(See above for address)
ATTORNEY TO BE NOTICED

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

James Bolen
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/26/2023	<u>1</u>	CONSENT to Prisoner E-Service by ANDRE MOTON located at PENDLETON CF. Pursuant to General Order 2013-1, documents submitted by ANDRE MOTON 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. (CCG) (Entered: 10/26/2023)
10/26/2023	<u>2</u>	COMPLAINT against LISA HAMBLEN, LAWSON, MCCAFFERTY, DENNIS REAGLE, SHAVER, filed by ANDRE MOTON. (No fee paid with this filing) (Attachments: # <u>1</u> Exhibit)(CCG) (Entered: 10/26/2023)
10/26/2023	<u>3</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff ANDRE MOTON. (CCG) (Entered: 10/26/2023)
10/26/2023	<u>4</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (CCG) (Entered: 10/26/2023)
10/26/2023	<u>5</u>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (CCG) (Entered: 10/26/2023)
10/27/2023	<u>6</u>	NOTICE to Pro se Litigant - The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the

		Court. (MEH) (Entered: 10/27/2023)
11/01/2023	7	Submission of Trust Account Statements in Support of Motion dkt. 3 , filed by Plaintiff ANDRE MOTON. (AAS) (Entered: 11/01/2023)
11/22/2023	8	ORDER on Motion to Proceed In Forma Pauperis - 3 Motion for Leave to Proceed in forma pauperis is GRANTED to the extent that the plaintiff is assessed an initial partial filing fee of Eight Dollars and Fifty-Three Cents (\$8.53). The plaintiff shall have through December 20, 2023, in which to pay this sum to the clerk of the district court. Signed by District Judge Richard L Young on 11/22/2023. (LBT) (Entered: 11/22/2023)
11/22/2023	9	AMENDED COMPLAINT, filed by ANDRE MOTON. (JSR) (Entered: 11/27/2023)
11/30/2023	10	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff ANDRE MOTON. (JRB) (Entered: 11/30/2023)
12/04/2023	11	ORDER - On November 22, 2023, the court granted plaintiff Andre Moton's motion to proceed in forma pauperis and assessed an initial partial filing fee of \$8.53. Dkt. 8 . Mr. Moton has filed a motion requesting reconsideration of the initial partial filing fee because the funds that are placed in his account are garnished for restitution, so he has no way to pay the initial partial filing fee. Dkt. 10 . The motion, dkt. 10 , is granted to the extent that the court will issue a collection order by separate order to facilitate collection of the filing fee. Signed by District Judge Richard L Young on 12/04/2023. (AAS) (Entered: 12/04/2023)
12/04/2023	12	ORDER Directing Monthly Payments be made from Prison Account of ANDRE MOTON, 231926. Plaintiff's custodian is directed to withhold sums from the inmate trust account of ANDRE MOTON, 231926, and to forward such sums to the Clerk of this Court at 46 East Ohio Street, Room 105, Indianapolis, Indiana 46204, consistent with paragraph 2 of this Entry. The appropriate cause number, 1:23-CV-01925-RLY-TAB, should be placed on each payment sent to the Clerk. Checks must be issued for a single plaintiff and include the case number or numbers to which the payment should be applied. As of the issuance of this Order, the balance of the filing fee still due in this case is \$350.00. Copy to Warden via US Mail. Signed by District Judge Richard L Young on 12/04/2023.(AAS) (Entered: 12/04/2023)
03/11/2024	13	Order Screening Complaint and Directing Further Proceedings - Construing Mr. Moton's claims liberally, Eighth Amendment deliberate indifference claims shall proceed against the defendants on the basis that they were deliberately indifferent to Mr. Moton's mental health as a result of his long-term placement in segregation without meaningful access to mental health care or appropriate review of his placement in segregation. Fourteenth Amendment due process claims shall proceed against the defendants on the basis that Mr. Moton was not afforded meaningful review of his placement in segregation. This summary of claims includes all of the viable claims identified by the court. All other claims have been dismissed. If Mr. Moton believes that additional claims were alleged in the complaint, but not identified by the court, he shall have through April 9, 2024, in which to identify those claims. The clerk is directed to add Deputy Warden J. Scaiffie as a defendant on the docket. The clerk is directed pursuant to Fed. R. Civ. P. 4(c) (3) to issue process to defendants (1) Dr. McCafferty; (2) BHS Lawson; (3) Warden Dennis Reagle; (4) HSA Lisa Hamblen; (5) Unit Team Manager Shaver; and (6) Deputy Warden J. Scaiffie in the manner specified by Rule 4(d). Process shall consist of the amended complaint filed on November 22, 2023, dkt. 9 , applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. The clerk is directed to serve the Indiana Department of Correction and Centurion employees electronically. Defendants Dr. McCafferty, BHS Lawson, and HSA Hamblen are identified as employees 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. SEE ORDER. Signed by District Judge Richard L Young on 03/11/2024.(AAS) (Entered: 03/12/2024)
03/11/2024	14	NOTICE of Lawsuit & Waiver Issued by Clerk TO: (1) Dr. McCafferty; (2) BHS Lawson; (3) Warden Dennis Reagle; (4) HSA Lisa Hamblen; (5) Unit Team Manager Shaver; and (6) Deputy Warden J. Scaiffe. (AAS) (Entered: 03/12/2024)
03/11/2024	15	Documents to be Sent via Electronic Notice - re 13 Order, 9 Amended Complaint, 14 NOTICE of Lawsuit & Waiver Issued by Clerk Electronic Notice to IDOC and Centurion. (AAS) (Entered: 03/12/2024)
04/22/2024	16	ENTRY DIRECTING SERVICE OF PROCESS - The Court screened the plaintiff's complaint and issued process on March 11, 2024, but Defendants have not waived service. The clerk is designated to reissue process to Defendants. Process shall consist of the amended complaint, dkt. 9 , screening order, dkt. 13 , applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Entry. The clerk is directed to serve the Indiana Department of Correction and Centurion employees electronically. Signed by Magistrate Judge Tim A. Baker on 4/22/2024.(KAA) (Entered: 04/22/2024)
04/22/2024	17	NOTICE of Lawsuit & Waiver Issued by Clerk upon: (1) Dr. McCafferty; (2) BHS Lawson; (3) Warden Dennis Reagle; (4) HSA Lisa Hamblen; (5) Unit Team Manager Shaver; and (6) Deputy Warden J. Scaiffe. (KAA) (Entered: 04/22/2024)
04/22/2024	18	Documents to be Sent via Electronic Notice - re 13 Order, 17 NOTICE of Lawsuit & Waiver Issued by Clerk, 9 Amended Complaint, 16 Entry Electronic Notice to IDOC and Centurion. (KAA) (Entered: 04/22/2024)
04/26/2024	19	NOTICE of Appearance by Gustavo Angel Jimenez on behalf of Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Jimenez, Gustavo) (Entered: 04/26/2024)
04/26/2024	20	WAIVER OF SERVICE Returned Executed, filed by DENNIS REAGLE. DENNIS REAGLE waiver sent on 4/22/2024. (Jimenez, Gustavo) (Entered: 04/26/2024)
04/26/2024	21	WAIVER OF SERVICE Returned Executed, filed by J. SCAIFFEE. J. SCAIFFEE waiver sent on 4/22/2024. (Jimenez, Gustavo) (Entered: 04/26/2024)
04/26/2024	22	WAIVER OF SERVICE Returned Executed, filed by SHAVER. SHAVER waiver sent on 4/22/2024. (Jimenez, Gustavo) (Entered: 04/26/2024)
04/26/2024	23	NOTICE of Appearance by John Brayton Bignotti on behalf of Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Bignotti, John) (Entered: 04/26/2024)
05/06/2024	24	NOTICE of Appearance by Carol A. Dillon on behalf of Defendants LISA HAMBLLEN, MCCAFFERTY. (Dillon, Carol) (Entered: 05/06/2024)
05/06/2024	25	WAIVER OF SERVICE Returned Executed, filed by LISA HAMBLLEN, MCCAFFERTY. LISA HAMBLLEN waiver sent on 4/22/2024; MCCAFFERTY waiver sent on 4/22/2024. (Dillon, Carol) (Entered: 05/06/2024)
05/28/2024	26	NOTICE of Appearance by Blake Thomas Erickson on behalf of Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Erickson, Blake) (Entered: 05/28/2024)
06/19/2024	27	ANSWER and Affirmative Defenses to Plaintiff's Amended Complaint and Jury Trial Demand, filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Erickson, Blake) (Entered: 06/19/2024)

06/26/2024	28	ANSWER to 9 Amended Complaint , filed by LISA HAMBLEN, MCCAFFERTY. (Dillon, Carol) (Entered: 06/26/2024)
06/27/2024	29	NOTICE of Appearance by Carol A. Dillon on behalf of Defendant LAWSON. (Dillon, Carol) (Entered: 06/27/2024)
07/01/2024	30	ANSWER to 9 Amended Complaint , filed by LAWSON.(Dillon, Carol) (Entered: 07/01/2024)
07/05/2024	32	MOTION for Preliminary Injunction, MOTION for Temporary Restraining Order, filed by Plaintiff ANDRE MOTON. (AAS) (Entered: 07/09/2024)
07/09/2024	31	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 August 8, 2024, in which to either: SEE ORDER. The failure to pursue any of these options by the above deadline constitutes an abandonment of the exhaustion defense. Signed by Magistrate Judge Tim A. Baker on 7/9/2024.(KAA) (Entered: 07/09/2024)
07/11/2024	33	NOTICE of Substitution of Appearance by Erica Lee Sawyer replacing <i>Blake T. Erickson</i> on behalf of DENNIS REAGLE, J. SCAIFFEE, SHAVER (Sawyer, Erica) (Entered: 07/11/2024)
07/12/2024	34	MOTION for Court to Take Judicial Notice, filed by Plaintiff ANDRE MOTON. (Attachments: # 1 Exhibit)(JRB) (Entered: 07/12/2024)
07/12/2024	35	Joint MOTION <i>to Set Briefing Schedule</i> , filed by Defendants LISA HAMBLEN, LAWSON, MCCAFFERTY, DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Sawyer, Erica) (Entered: 07/12/2024)
07/15/2024	36	ORDER DENYING MOTION TO TAKE JUDICIAL NOTICE AND GRANTING MOTION TO SET BRIEFING SCHEDULE FOR MOTION FOR PRELIMINARY INJUNCTION - Mr. Moton's motion for preliminary injunction/motion for temporary restraining order will be construed as a motion for preliminary injunction given the nature of the relief Mr. Moton seeks. Mr. Moton's motion to take judicial notice, dkt. 34 , is denied, because the contents of the motion and exhibits are not proper for judicial notice; rather, they should be submitted or argued in support of Mr. Moton's request for preliminary injunction. Defendants' motion for a briefing schedule, dkt. 35 , is granted to the extent that Mr. Moton's supporting brief is due July 29, 2024; Defendants' response is due August 26, 2024; and Mr. Moton's reply (if any) is due September 9, 2024. SEE ORDER. Signed by Magistrate Judge Tim A. Baker on 07/15/2024. (AAS) (Entered: 07/15/2024)
07/18/2024	37	NOTICE of <i>Withdrawal of Exhaustion Defense</i> , filed by Defendants LISA HAMBLEN, LAWSON, MCCAFFERTY (Dillon, Carol) (Entered: 07/18/2024)
07/19/2024	38	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 2/19/2025. Discovery due by 1/20/2025. Signed by Magistrate Judge Tim A. Baker on 7/19/24.(RSF) (Entered: 07/20/2024)
07/22/2024	39	AFFIDAVIT of Andre Moton by ANDRE MOTON. (CKM) (Entered: 07/22/2024)

07/22/2024	40	Second AFFIDAVIT of Andre Moton by ANDRE MOTON. (CKM) (Entered: 07/22/2024)
07/31/2024	41	MOTION for Preliminary Injunction, filed by Plaintiff ANDRE MOTON. (Attachments: # 1 Exhibit)(TPS) (Entered: 07/31/2024)
08/16/2024	42	Submission of Exhibits, filed by Plaintiff ANDRE MOTON. (TPS) (Entered: 08/16/2024)
08/26/2024	43	NOTICE of Appearance by Alexander Robert Carlisle on behalf of Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Carlisle, Alexander) (Entered: 08/26/2024)
08/26/2024	44	Joint MOTION for Extension of Time to File Response to September 25, 2024 re 32 MOTION for Preliminary Injunction MOTION for Temporary Restraining Order, 41 MOTION for Preliminary Injunction to <i>Preliminary Injunction Motion</i> , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Attachments: # 1 Supplement Declaration of Amy Rollings, # 2 Text of Proposed Order)(Carlisle, Alexander) Modified on 8/26/2024 Updated docket text. (AJG). (Entered: 08/26/2024)
08/26/2024	45	***PLEASE DISREGARD, DOCKETED IN ERROR*** Notice to File Rule 7.1 Disclosure Statement. (RAGS) (CCG) Modified on 8/26/2024 (CCG). (Entered: 08/26/2024)
08/29/2024	46	ORDER - Pending before the Court is the State Defendants' (Defendants Reagle, Scaifee, and Shaver) motion for additional time to respond to Plaintiff's pending motions for injunctive relief. Dkt. 44 . The Court finds good cause for the requested extension, and the motion, dkt. 44 , is granted. Defendants shall have up to and including September 25, 2024, to respond to the pending motions for injunctive relief, dkts. 32 and 41 . The Court does not anticipate further extensions of this deadline absent extraordinary circumstances. Signed by Magistrate Judge Tim A. Baker on 08/29/2024. (AAS) (Entered: 08/29/2024)
09/17/2024	47	NOTICE of Service of Initial Disclosures , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Sawyer, Erica) (Entered: 09/17/2024)
09/25/2024	48	RESPONSE in Opposition re 41 MOTION for Preliminary Injunction, 32 MOTION for Preliminary Injunction MOTION for Temporary Restraining Order , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Sawyer, Erica) (Entered: 09/25/2024)
09/25/2024	49	MOTION to Withdraw Attorney Appearance <i>John B. Bignotti</i> , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Attachments: # 1 Text of Proposed Order Granting Motion to Withdraw Appearance)(Sawyer, Erica) (Entered: 09/25/2024)
09/26/2024	50	ORDER GRANTING MOTION TO WITHDRAW APPEARANCE - Defendants, Joshua Shaver, Jacqueline Scaife, and Dennis Reagle, filed a motion to withdraw the appearance of former Deputy Attorney General John B. Bignotti on behalf of the Defendants. The Court, having reviewed the motion and being duly advised in the premises, now GRANTS the motion. [Filing No. 49 .] Attorney John Brayton Bignotti withdrawn. Signed by Magistrate Judge Tim A. Baker on 9/26/2024. (See Order.) (BAA) (Entered: 09/26/2024)
10/09/2024	51	Order Denying as Moot Motions for Preliminary Injunction - Mr. Moton has obtained the relief he has sought in his motions for injunctive relief. Accordingly, the motions, dkts. 32 and 41 , are denied as moot. The clerk is directed to update the docket to show Mr. Moton is now at New Castle Correctional Facility. (See Order.) Signed by District Judge Richard L. Young on 10/9/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 10/10/2024)
10/11/2024	52	NOTICE of Change of Address for ANDRE MOTON to New Castle Correctional Facility and Copy Request. Public Docket Sheet provided via US Mail. (Attachments: # 1 Envelope, # 2 Public Docket Sheet) (AAS) (Entered: 10/15/2024)

12/10/2024	53	RECEIPT #13300 for partial filing fee in the amount of \$350.00, paid by ANDRE MOTON. (DJH) (Entered: 12/10/2024)
12/11/2024	54	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. Accordingly, 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). Pursuant to § 1915(b)(3), the Clerk is required to issue a refund to the plaintiff for any overpayments made. Id. A copy of this Notice shall be distributed to the plaintiff's custodian. SEE ORDER. Signed by District Judge Richard L Young on 12/11/2024. Copies provided per distribution list.(AAS) (Entered: 12/11/2024)
12/16/2024	55	MOTION for Preliminary Injunction, filed by Plaintiff ANDRE MOTON. (LBT) (Entered: 12/16/2024)
12/19/2024	56	NOTICE <i>Regarding Settlement Conference</i> , filed by Defendants SHAVER, J. SCAIFFEE, DENNIS REAGLE, re 38 Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation. (Sawyer, Erica) (Entered: 12/19/2024)
12/20/2024	57	MOTION to Take Deposition from Andre Moton , filed by Defendants SHAVER, J. SCAIFFEE, DENNIS REAGLE. (Attachments: # 1 Text of Proposed Order Granting State Defendants' Motion for Leave to Take Deposition)(Sawyer, Erica) (Entered: 12/20/2024)
12/30/2024	58	RESPONSE in Opposition re 55 MOTION for Preliminary Injunction , filed by Defendants MCCAFFERTY, LAWSON, LISA HAMBLÉN. (Dillon, Carol) (Entered: 12/30/2024)
12/30/2024	59	NOTICE <i>Regarding Settlement Conference</i> , filed by Defendants MCCAFFERTY, LAWSON, LISA HAMBLÉN (Dillon, Carol) (Entered: 12/30/2024)
12/30/2024	60	RESPONSE in Opposition re 55 MOTION for Preliminary Injunction , filed by Defendants SHAVER, J. SCAIFFEE, DENNIS REAGLE. (Sawyer, Erica) (Entered: 12/30/2024)
12/30/2024	61	ORDER granting 57 Motion to Take Deposition from ANDRE MOTON. The State Defendants are granted leave to depose Plaintiff Andre Moton as provided for in Rule 30(d)(1), prior to the close of discovery. Signed by Magistrate Judge Tim A. Baker on 12/30/2024. (Copy to plaintiff via US Mail.) (KAA) (Entered: 12/30/2024)
01/15/2025	62	ORDER denying 55 Motion for Preliminary Injunction. SEE ORDER. Signed by District Judge Richard L Young on 1/15/2025. (Copy to plaintiff via US Mail.) (KAA) (Entered: 01/15/2025)
02/18/2025	63	MOTION for Extension of Time to March 21, 2025 in which to 38 Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation <i>to File a Motion for Summary Judgment and Preliminary Witness List</i> , filed by Defendants SHAVER, J. SCAIFFEE, DENNIS REAGLE. (Attachments: # 1 Text of Proposed Order Granting State Defendants' Motion for Extension of Time)(Sawyer, Erica) (Entered: 02/18/2025)
02/19/2025	64	MOTION for Extension of Time to March 21, 2025 <i>to File Dispositive Motions</i> , filed by Defendants MCCAFFERTY, LAWSON, LISA HAMBLÉN. (Attachments: # 1 Text of Proposed Order)(Dillon, Carol) (Entered: 02/19/2025)
02/20/2025	65	ORDER GRANTING STATE DEFENDANTS' MOTION FOR EXTENSION OF TIME - State Defendants, Joshua Shaver, Jacqueline Scaife, and Dennis Reagle, filed a Motion for Extension of Time to File a Motion for Summary Judgment and Preliminary Witness

		List. The Court, having reviewed the motion, hereby GRANTS State Defendants' motion. [Filing No. 63 .] IT IS THEREFORE ORDERED that the State Defendants shall file a summary judgment motion and preliminary witness list on or before March 21, 2025. Signed by Magistrate Judge Tim A. Baker on 2/20/2025. Copy mailed to Plaintiff. (BAA) (Entered: 02/20/2025)
02/20/2025	66	ORDER GRANTING MEDICAL DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTIONS - Defendants, by counsel, have filed their Motion for Extension of Time to File Dispositive Motions. The Court having reviewed the Motion, and being duly advised in the premises, now GRANTS their Motion. [Filing No. 64 .] IT IS THEREFORE ORDERED, ADJUGED AND DECREED that Medical Defendants shall have through March 21, 2025, within which to file Dispositive Motions in this case. Signed by Magistrate Judge Tim A. Baker on 2/20/2025. Copy mailed to Plaintiff. (BAA) (Entered: 02/20/2025)
02/24/2025	67	Witness List <i>and Exhibit List (Preliminary)</i> , filed by Defendants MCCAFFERTY, LAWSON, LISA HAMBLEN. (Dillon, Carol) (Entered: 02/24/2025)
03/18/2025	68	Second MOTION for Extension of Time to April 4, 2025 <i>to File Dispositive Motions</i> , filed by Defendants LISA HAMBLEN, LAWSON, MCCAFFERTY. (Attachments: # 1 Text of Proposed Order)(Dillon, Carol) (Entered: 03/18/2025)
03/20/2025	69	ORDER granting 68 Motion for Extension of Time to File Dispositive Motions. Dispositive Motions due by 4/4/2025. Copy sent to plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 3/21/2025.(TPS) (Entered: 03/21/2025)
03/21/2025	70	Witness List <i>and Exhibit List</i> , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER, Exhibit List , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Sawyer, Erica) (Entered: 03/21/2025)
04/04/2025	71	NOTICE <i>to Pro Se Litigant</i> , filed by Defendants LISA HAMBLEN, LAWSON, MCCAFFERTY (Dillon, Carol) (Entered: 04/04/2025)
04/04/2025	72	MOTION for Summary Judgment , filed by Defendants LISA HAMBLEN, LAWSON, MCCAFFERTY. (Attachments: # 1 Affidavit Lawson, # 2 Affidavit Hamblen, # 3 Affidavit McCafferty)(Dillon, Carol) (Entered: 04/04/2025)
04/05/2025	73	BRIEF/MEMORANDUM in Support re 72 MOTION for Summary Judgment , filed by Defendants LISA HAMBLEN, LAWSON, MCCAFFERTY. (Dillon, Carol) (Entered: 04/05/2025)
04/07/2025	74	Submission of Proposed Order , re 72 MOTION for Summary Judgment , filed by Defendants LISA HAMBLEN, LAWSON, MCCAFFERTY. (Dillon, Carol) (Entered: 04/07/2025)
04/07/2025	75	MOTION for Leave to File <i>Belated Exhibits D and E and Brief in Support of Motion for Summary Judgment</i> , filed by Defendants LISA HAMBLEN, LAWSON, MCCAFFERTY. (Attachments: # 1 Exhibit D - IDOC Records = Part 1, # 2 Exhibit D - IDOC Records - Part 2, # 3 Exhibit D - IDOC Records - Part 3, # 4 Exhibit E - Plaintiff's Deposition, # 5 Text of Proposed Order)(Dillon, Carol) (Entered: 04/07/2025)
04/07/2025	76	NOTICE <i>REGARDING SETTLEMENT CONFERENCE</i> , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER, re 56 Notice (Other). (Sawyer, Erica) (Entered: 04/07/2025)
04/11/2025	77	ORDER GRANTING MEDICAL DEFENDANTS' MOTION TO FILE BELATED EXHIBITS D AND E AND BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT - Medical Defendants, Kelly McCafferty, PsyD., Kaitlyn Lawson, B.H.S. and Lisa Hamblen, H.S.A., by counsel, have filed their Motion to File Belated Exhibits

		and Brief in Support of Motion for Summary. The Court, having examined the Motion and being duly advised, now GRANTS said Motion. [Filing No. 75 .] IT IS THEREFORE ORDERED ADJUDGED AND DECREED that Medical Defendants Exhibits D and E [Filing Nos. [75-1], [75-2], [75-3], [75-4]] as well as their Brief in Support of Motion for Summary Judgment [Filing No. 73] are accepted as filed. Signed by Magistrate Judge Tim A. Baker on 4/11/2025. Copy mailed to Plaintiff. (BAA) (Entered: 04/11/2025)
05/05/2025	78	MOTION for Extension of Time to File Response re 72 MOTION for Summary Judgment , filed by Plaintiff ANDRE MOTON. (JSR) (Entered: 05/06/2025)
05/12/2025	79	ORDER granting 78 MOTION for Extension of Time to File Response to 72 MOTION for Summary Judgment. The deadline for Plaintiff to respond to Defendants' motion for summary judgment is enlarged to June 5, 2025. Copy sent to plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 5/12/2025. (TPS) (Entered: 05/12/2025)
05/27/2025	80	MOTION for Case Status, filed by Plaintiff ANDRE MOTON. (TPS) (Entered: 05/28/2025)
06/02/2025	82	RESPONSE in Opposition re 72 MOTION for Summary Judgment , filed by Plaintiff ANDRE MOTON. (Attachments: # 1 Exhibit)(AAS) (Entered: 06/04/2025)
06/03/2025	81	ORDER - Plaintiff's motion for case status, dkt. 80 , is granted to the extent that the Court explains that, as of the writing of this Order, the State Defendants have not filed a summary judgment motion. The clerk is directed to enclose a public docket sheet with Plaintiff's copy of this Order. Signed by Magistrate Judge Tim A. Baker on 6/3/2025. (Copy to plaintiff via US Mail.) (Attachments: # 1 Public Docket Sheet) (KAA) (Entered: 06/03/2025)
06/09/2025	83	NOTICE of Appearance by Eric Ryan Shouse on behalf of Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Shouse, Eric) (Entered: 06/09/2025)
06/11/2025	84	MOTION to Withdraw Attorney Appearance <i>Erica L. Sawyer</i> , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Attachments: # 1 Text of Proposed Order Proposed Order Granting MTW)(Sawyer, Erica) (Entered: 06/11/2025)
06/16/2025	85	REPLY in Support of Motion re 72 MOTION for Summary Judgment , filed by Defendants LISA HAMBLIN, LAWSON, MCCAFFERTY. (Dillon, Carol) (Entered: 06/16/2025)
06/16/2025	86	ORDER granting 84 Motion to Withdraw Attorney Appearance. Attorney Erica Lee Sawyer withdrawn. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 6/16/2025. (JRB) (Entered: 06/16/2025)
06/16/2025	87	MOTION to Withdraw Attorney Appearance of <i>Alexander R. Carlisle</i> , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Attachments: # 1 Text of Proposed Order)(Carlisle, Alexander) (Entered: 06/16/2025)
06/17/2025	88	MOTION to Withdraw Attorney Appearance of <i>Gustavo A. Jimenez</i> , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Attachments: # 1 Text of Proposed Order) (Jimenez, Gustavo) (Entered: 06/17/2025)
06/17/2025	89	CERTIFICATE OF SERVICE by DENNIS REAGLE, J. SCAIFFEE, SHAVER re 87 MOTION to Withdraw Attorney Appearance of <i>Alexander R. Carlisle</i> (Carlisle, Alexander) (Entered: 06/17/2025)
06/18/2025	90	ORDER granting 88 Motion to Withdraw Attorney Appearance. Attorney Gustavo Angel Jimenez withdrawn. The appearance of Attorney Eric Ryan Shouse on behalf of the State

		Defendants remains in effect. Signed by Magistrate Judge Tim A. Baker on 6/18/2025 (Copy mailed to Plaintiff). (LBT) (Entered: 06/18/2025)
06/18/2025	91	ORDER granting 87 Motion to Withdraw Attorney Appearance. Attorney Alexander Robert Carlisle withdrawn. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Tim A. Baker on 6/18/2025. (JRB) (Entered: 06/20/2025)
06/30/2025	92	MOTION to Set Further Proceedings, filed by Plaintiff ANDRE MOTON. (JRB) (Entered: 06/30/2025)
07/22/2025	93	ORDER ON PLAINTIFF'S MOTION TO SET FURTHER PROCEEDINGS AND ORDER SETTING SETTLEMENT CONFERENCE - 92 Motion to Set Further Proceedings is GRANTED. Settlement Conference set for 9/10/2025 at 9:00 AM (Eastern Time) in room #234, United States Courthouse, 46 E. Ohio Street, Indianapolis, Indiana before Magistrate Judge Tim A. Baker. Plaintiff shall appear by phone. See Order for details. Signed by Magistrate Judge Tim A. Baker on 7/22/2025 (Copy mailed to Plaintiff).(LBT) (Entered: 07/22/2025)
07/22/2025	94	ORDER to Make Inmate Available - via Telephone. Warden of NEW CASTLE CORRECTIONAL FACILITY ordered to make ANDRE MOTON # 231926 Available - via Telephone for court proceeding on 9/10/2025 at 9:00 A.M. Signed by Magistrate Judge Tim A. Baker on 7/22/2025 (Copy mailed to Plaintiff).(LBT) (Entered: 07/22/2025)
07/24/2025	95	MOTION to Excuse Attendance <i>at Settlement Conference</i> , filed by Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Attachments: # 1 Text of Proposed Order Excusing Defendants from Settlement Conference)(Shouse, Eric) (Entered: 07/24/2025)
07/25/2025	96	ORDER - Defendants, Shaver, Reagle, and Scaife, by counsel, have moved to be excused from the settlement conference on September 10, 2025. The Court, having reviewed the motion and being duly advised, now GRANTS the motion. [Filing No. 95 .] IT IS THEREFORE ORDERED that Defendants Shaver, Reagle, and Scaife are excused from the settlement conference on September 10, 2025. Signed by Magistrate Judge Tim A. Baker on 7/25/2025. Copy mailed to Plaintiff. (BAA) (Entered: 07/25/2025)
07/25/2025	97	MOTION <i>to be Excused from Attending the Settlement Conference</i> , filed by Defendants LISA HAMBLLEN, LAWSON, MCCAFFERTY. (Attachments: # 1 Text of Proposed Order)(Dillon, Carol) (Entered: 07/25/2025)
07/28/2025	98	ORDER granting 97 Motion to be Excused from Attending the Settlement Conference. Defendants Kelly McCafferty, PsyD., Kaitlyn Lawson, B.H.S. and Lisa Hamblen, H.S.A., are excused from attending the Settlement Conference on September 10, 2025. Copy sent to plaintiff via US mail. Signed by Magistrate Judge Tim A. Baker on 7/29/2025. (TPS) (Entered: 07/29/2025)
08/06/2025	99	MOTION <i>to be Excused from Attending Settlement Conference or in the Alternative, Motion for Representative to Appear Remotely for the Settlement Conference</i> , filed by Defendants LISA HAMBLLEN, LAWSON, MCCAFFERTY. (Attachments: # 1 Text of Proposed Order Granting Medical Defendants Motion to Be Excused from Attending Settlement Conference or in the Alternative, Appear Remotely)(Dillon, Carol) (Entered: 08/06/2025)
08/11/2025	100	ORDER granting 99 MEDICAL DEFENDANTS MOTION TO BE EXCUSED FROM ATTENDING THE SETTLEMENT CONFERENCE OR IN THE ALTERNATIVE, MOTION FOR REPRESENTATIVE TO APPEAR REMOTELY FOR THE SETTLEMENT CONFERENCE - Medical Defendants, Kelly McCafferty, PsyD., Kaitlyn Lawson, B.H.S. and Lisa Hamblen, H.S.A., representatives shall attend the settlement conference remotely via telephone. Signed by Magistrate Judge Tim A. Baker on 08/11/2025. Copy to Plaintiff via US Mail. (AAS) (Entered: 08/11/2025)

09/02/2025	103	MOTION to Appoint Counsel, filed by Plaintiff ANDRE MOTON. (SAM) (Entered: 09/03/2025)
09/03/2025	101	NOTICE of Appearance by Carlton Wayne Anker on behalf of Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Anker, Carlton) (Entered: 09/03/2025)
09/03/2025	102	NOTICE of Appearance by James Bolen on behalf of Defendants DENNIS REAGLE, J. SCAIFFEE, SHAVER. (Bolen, James) (Entered: 09/03/2025)
09/10/2025	104	MINUTE ORDER ON SEPTEMBER 10, 2025, SETTLEMENT CONFERENCE - Plaintiff appeared in person and Defendants appeared in person and by counsel September 10, 2025, for a settlement conference. Settlement discussions were held, but no settlement was reached. The conference concluded without further order. Signed by Magistrate Judge Tim A. Baker. Copy to Plaintiff via US Mail. (DMB) (Entered: 09/10/2025)
03/24/2026	105	ORDER - GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT; The Centurion Defendants' motion for summary judgment is GRANTED. Dkt. 72 . The clerk is directed to terminate Kaitlyn Lawson, Kelly McCafferty, and Lisa Hamblen as Defendants on the docket. Partial final judgment shall not enter. Claims remain against Defendants Warden Reagle, J. Scaiffe, and Schaffer. The Court prefers that Mr. Moton be represented by counsel for the remainder of this action. Mr. Moton's motion for counsel, dkt. 103 is granted. After counsel is recruited for Mr. Moton, the Magistrate Judge is requested to hold a telephonic status conference to discuss settlement and trial preparations. *** SEE ORDER ***. Signed by District Judge Richard L Young on 3/24/26. Copy Sent to Plaintiff via U.S. Mail (CKM) (Entered: 03/24/2026)

Case #: 1:23-cv-01925-RLY-TAB