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

# U.S. District Court Southern District of Indiana (Indianapolis) CIVIL DOCKET FOR CASE #: 1:21-cv-02753-SEB-TAB

PERRY v. REAGLE et al Assigned to: Judge Sarah Evans Barker Referred to: Magistrate Judge Tim A. Baker Cause: 42:1983 Prisoner Civil Rights

#### <u>Plaintiff</u>

#### **RODNEY S. PERRY, SR.**

Date Filed: 10/29/2021 Jury Demand: Defendant Nature of Suit: 555 Prisoner Petitions -Prison Condition Jurisdiction: Federal Question

### represented by RODNEY S. PERRY, SR.

974441 INDIANA STATE PRISON INDIANA STATE PRISON Inmate Mail/Parcels One Park Row MICHIGAN CITY, IN 46360 PRO SE

V.

# <u>Defendant</u>

#### **DENNIS REAGLE** *Warden*

## represented by Carlton Wayne Anker

Lewis and Wilkins LLP Lewis and Wilkins LLP 8777 Purdue Road Suite 104 Indianapolis, IN 46268 317-636-7460 Email: anker@lewisandwilkins.com *ATTORNEY TO BE NOTICED* 

### 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**

## **DUANE ALSIP** Asst. Warden

**Defendant** 

MICHAEL PLFEEGER

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

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

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

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

# <u>Defendant</u> DON WILLIAMS

## represented by Carlton Wayne Anker

(See above for address) ATTORNEY TO BE NOTICED

# **Eric Ryan Shouse**

(See above for address) ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/29/2021	<u>1</u>	CONSENT to Prisoner E-Service by RODNEY S. PERRY, SR located at PENDLETON CF. Pursuant to General Order 2013-1, documents submitted by RODNEY S. PERRY, SR 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. <b>NOTE: The E-Filing</b> <b>Program does not affect the obligation of other parties to serve copies of</b> <b>documents in accordance with the Federal Rules of Civil Procedure.</b> (LMK) (Entered: 10/29/2021)
10/29/2021	<u>2</u>	COMPLAINT against DUANE ALSIP, JIM BOLDMAN, RYAN COCHRAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, Q. RUIZ, DON WILLIAMS, filed by RODNEY S. PERRY, SR. (No fee paid with this filing) (Attachments: # <u>1</u> Proposed Summons, # <u>2</u> Exhibit)(LMK) (Entered: 10/29/2021)
10/29/2021	<u>3</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit Certification Of Inmate Trust Fund Account) (LMK) (Entered: 10/29/2021)
10/29/2021	<u>4</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (LMK) (Entered: 10/29/2021)

11/01/2021	<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. (TMC) (Entered: 11/01/2021)
11/10/2021	<u>6</u>	NOTICE of Tort Claim, filed by Plaintiff RODNEY S. PERRY, SR (Attachments: # 1 Exhibit A, # 2 Exhibit B & C) (CKM) (Entered: 11/12/2021)
11/10/2021	<u>7</u>	Submission of Subpoenas, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 11/12/2021)
11/22/2021	<u>8</u>	Submission of Proposed Subpoenas, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 11/22/2021)
11/29/2021	<u>9</u>	Submission of Proposed Subpoenas, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 11/29/2021)
12/02/2021	<u>10</u>	ENTRY - ON MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS; Rodney Perry's motion for leave to proceed in forma pauperis, dkt. <u>3</u> , is granted to the extent that he is assessed an initial partial filing fee of \$114.53. See 28 U.S.C. § 1915(b)(1). Mr. Perry will have through January 3, 2022, to pay this sum to the clerk of the district court. Signed by Judge Sarah Evans Barker on 12/2/2021. cc:fin (CKM) (Entered: 12/02/2021)
12/02/2021	<u>11</u>	DECLARATION by RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibits). (MAC) (Entered: 12/07/2021)
12/03/2021	<u>12</u>	DECLARATION of Aaron J. Smith by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibits d1-d10) (CKM) Modified on 12/14/2021 (CKM). (Entered: 12/07/2021)
12/03/2021	<u>13</u>	DECLARATION of Christopher Lockett by RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit d1-d10) (CKM) (Entered: 12/07/2021)
12/03/2021	<u>14</u>	DECLARATION of Deontre Smoots by RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit d1-d10) (CKM) (Entered: 12/07/2021)
12/03/2021	<u>15</u>	DECLARATION of John Smith by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit d1-d10) (CKM) (Entered: 12/07/2021)
12/03/2021	<u>16</u>	DECLARATION of Jwain Poindexter by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit d1-d10)(CKM) (Entered: 12/07/2021)
12/03/2021	<u>17</u>	DECLARATION of Raymond Crabtree Jr. by RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit d1-d10) (CKM) (Entered: 12/07/2021)
12/03/2021	<u>18</u>	DECLARATION of Raymond Mims by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit d1-d10) (CKM) (Entered: 12/07/2021)
12/03/2021	<u>19</u>	DECLARATION of Reese Keith by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit d1-d10) (CKM) (Entered: 12/07/2021)
12/03/2021	<u>20</u>	DECLARATION of Robert Preacher by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit d1-d10)(CKM) (Entered: 12/07/2021)
12/03/2021	<u>21</u>	DECLARATION of Rodney Perry by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit c1 - c2, # 2 Exhibit a - b1 - d1 -d10) (CKM) (Entered: 12/07/2021)
12/03/2021	22	DECLARATION of Willie Pargo by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit d1-d10) (CKM) (Entered: 12/07/2021)

12/09/2021	<u>23</u>	Second MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Resident Activity Report)(CKM) Modified on 12/14/2021 (CKM). (Entered: 12/10/2021)
12/13/2021	<u>24</u>	DECLARATION of John Smith by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibits B, C,D) (CKM) (Entered: 12/15/2021)
12/13/2021	<u>25</u>	DECLARATION of Reese Keith by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit b,c,d)(CKM) (Entered: 12/15/2021)
12/13/2021	<u>26</u>	DECLARATION of Christopher Lockett by RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Envelope b,c,d) (CKM) (Entered: 12/15/2021)
12/13/2021	<u>27</u>	DECLARATION of Raymond Mills by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit b,c,d & f) (CKM) (Entered: 12/15/2021)
12/13/2021	<u>28</u>	DECLARATION of Willie Pargo by RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit b,c,d & f) (CKM) (Entered: 12/15/2021)
12/13/2021	<u>29</u>	DECLARATION of Robert Preacher by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit b,c,d) (CKM) (Entered: 12/15/2021)
12/13/2021	<u>30</u>	DECLARATION of Jwain Poindexter by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit b,c,d) (CKM) (Entered: 12/15/2021)
12/13/2021	<u>31</u>	DECLARATION of Deontre Smoots by RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit b,c,d) (CKM) (Entered: 12/15/2021)
12/16/2021	32	ORDER - ENTRY GRANTING IN PART AND DENYING IN PART MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS; On December 2, 2021, the Court granted Rodney Perry's motion for leave to proceed in forma pauperis and ordered him to pay an initial partial filing fee of \$114.53. Dkt. 10. Mr. Perry's second motion for leave to proceed in forma pauperis, dkt. 23, demonstrates that he has not had the means to make that payment since the Court assessed it. Mr. Perry's motion, dkt. 23, is granted in part and denied in part. To the extent Mr. Perry again requests to proceed in forma pauperis, the motion is denied as unnecessary. To the extent he asks the Court to vacate its assessment of an initial partial filing fee, the motion is granted. See 28 U.S.C. § 1915(b)(4) ("In no event shall a prisoner be prohibited from bringing a civil action for the reason that the prisoner has no assets and no means by which to pay the initial partial filing fee. Signed by Judge Sarah Evans Barker on 12/16/2021. (CKM) (Entered: 12/16/2021)
12/16/2021	<u>33</u>	Submission of Letter to Warndy and Rains, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 12/17/2021)
12/21/2021	<u>34</u>	ORDER Directing Monthly Payments be made from Prison Account of Rodney S. Perry - The plaintiff's request to proceed in forma pauperis was granted. No initial partial filing fee was assessed. However, plaintiff is still obligated to pay the full three hundred and fifty dollars (\$350.00) filing fee. SEE ORDER. Copy sent to Warden. Signed by Magistrate Judge Matthew P. Brookman on 12/21/22.(JRB) (Entered: 12/22/2021)

12/22/2021	<u>35</u>	NOTICE of Change of Address for RODNEY S. PERRY, SR. RODNEY S. PERRY, SR is no longer participating in E-Service. (Attachments: # <u>1</u> Envelope). (MAC) (Entered: 12/28/2021)
12/27/2021	<u>36</u>	NOTICE of Change of Address for RODNEY S. PERRY, SR. Indiana State Prison, 1 Park Row, Michigan City, Indiana 46360. (Attachments: # <u>1</u> Envelope) (AKH) (Entered: 12/29/2021)
01/10/2022	<u>37</u>	NOTICE of Change of Address for RODNEY S. PERRY, SR. (CKM) (Entered: 01/12/2022)
01/10/2022	38	CONSENT to Prisoner E-Service by RODNEY S. PERRY, SR located at ISP. Pursuant to General Order 2013-1, documents submitted by RODNEY S. PERRY, SR 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. <b>NOTE: The E-Filing Program does not affect the</b> <b>obligation of other parties to serve copies of documents in accordance with the</b> <b>Federal Rules of Civil Procedure.</b> (CKM) (Entered: 01/12/2022)
01/10/2022	<u>39</u>	Emergency MOTION for Court to Schedule Conference re Access to Legal Materials, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit Emails, # <u>2</u> Envelope) (CKM) (Entered: 01/12/2022)
01/14/2022	<u>40</u>	MOTION for Status of Dkt. 23 Second MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff RODNEY S. PERRY, SR. (AKH) (Entered: 01/14/2022)
01/14/2022	<u>41</u>	ORDER denying <u>39</u> Motion for Court to Schedule Conference re Access to Legal Materials - SEE ORDER. Signed by Magistrate Judge Matthew P. Brookman on 1/14/2022. (JRB) (Entered: 01/14/2022)
01/25/2022	<u>42</u>	Plaintiff's NOTICE to the Court Regarding Screening Complaint, filed by Plaintiff RODNEY S. PERRY, SR (CKM) (Entered: 01/26/2022)
02/14/2022	43	ENTRY - SCREENING COMPLAINT AND DIRECTING FURTHER PROCEEDINGS; Rodney Perry alleges several violations of his constitutional rights by personnel at Pendleton Correctional Facility. Because Mr. Perry is a prisoner, the Court must screen his complaint pursuant to 28 U.S.C. § 1915A. In this entry, the Court identifies claims that may proceed under § 1915A and directs Mr. Perry to provide further information regarding which claims will proceed in this action and which will be severed and proceed separately. No later than March 7, 2022, Mr. Perry must file a notice stating the following: 1. Mr. Perry must select one claim (A-C) to pursue in this action. The Court will then issue process on the appropriate defendants.2. Mr. Perry may select additional claims (A-C) to pursue in separate actions. The Court will sever those claims and open a new action for each one. In each case, Mr. Perry will be responsible for either paying the filing fee or obtaining leave to proceed in forma pauperis. The Court will dismiss all claims Mr. Perry does not specifically identify in his notice. If Mr. Perry fails to file his notice in the time provided, the Court will direct that group A, the First Amendment retaliation claims, proceed in this case and dismiss the remaining claims without prejudice as improperly joined. Signed by Judge Sarah Evans Barker on 2/14/2022. (CKM) (Entered: 02/15/2022)

02/17/2022	44	CONSENT to Prisoner E-Service by ISP (COURT USE ONLY) located at ISP. Pursuant to General Order 2013-1, documents submitted by ISP (COURT USE ONLY) 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. <b>NOTE: The E-Filing Program does not</b> <b>affect the obligation of other parties to serve copies of documents in accordance</b> <b>with the Federal Rules of Civil Procedure.</b> (CKM) Modified on 2/23/2022 to correct name of prison (JRT). (Entered: 02/22/2022)
02/17/2022	<u>47</u>	Letter to Rokita from Robert S. Perry Sr. (CKM) (Entered: 02/23/2022)
02/22/2022	<u>45</u>	NOTICE to the Court of Existing E-Consent to ISP, filed by Plaintiff RODNEY S. PERRY, SR # <u>1</u> Attachment) (CKM) Modified on 2/23/2022 (CKM). (Entered: 02/23/2022)
02/23/2022	<u>46</u>	MOTION to Grant Subpoenas, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Notice of Subpoenas, # <u>3</u> Order for Subpoenas) (CKM) (Entered: 02/23/2022)
03/17/2022	<u>48</u>	MOTION to the Court that the Plaintiff can no longer represent himself as a Pro Se Litigant, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibits). (MAC) (Entered: 03/18/2022)
04/05/2022	<u>49</u>	ENTRY - ON PENDING ISSUES; This action will proceed with Eighth Amendment claims against defendants Reagle, Alsip, Boldman, Pfleeger, and Williams. First Amendment free-exercise claims will proceed in a separate action. First Amendment retaliation claims are dismissed without prejudice. The clerk is directed to terminate Ryan Cochran and Q. Ruiz as defendants. Mr. Perry's motion requesting information regarding his second motion for leave to proceed in forma pauperis, dkt. 40, is granted. That motion, dkt. 23, was granted in part and denied in part. The clerk is directed to include a copy of the order regarding the filing fee, dkt. 32, with Mr. Perry's copy of this entry. His motion to grant subpoenas, dkt. 46, is denied as premature. His motion notifying the Court that he cannot represent himself, dkt. 48, is denied. The clerk is directed to include the following with Mr. Perry's copy of this entry: the order regarding the filing fee, (dkt. 32); the screening order (dkt. 43); the docket sheet; and a form motion for assistance with recruiting counsel. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to Defendants Dennis Reagle, Duane Alsip, Jim Boldman, Michael Pfleeger, and Don Williams in the manner specified by Fed. R. Civ. P. 4(d). Process will consist of the complaint (dkt. 2), applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), screening order (dkt. 43), and this entry. The clerk is directed to open a new civil action in the Indianapolis Division *** SEE ORDER ***. Signed by Judge Sarah Evans Barker on $4/5/2022$ . cc/ cs (Attachments: # 1 Motion for Assistance with Recruiting Counsel)(CKM) (Additional attachment(s) added on $4/6/2022$ :
04/06/2022	<u>50</u>	NOTICE of Lawsuit & Waiver Issued by Clerk as to Dennis Reagle, Duane Alsip, Jim Boldman, Michael Pfleeger, and Don Williams (CKM) (Entered: 04/06/2022)

04/06/2022	<u>51</u>	Documents to be Sent via Electronic Notice - re <u>49</u> Order, <u>2</u> Complaint, <u>50</u> NOTICE of Lawsuit & Waiver Issued by Clerk, <u>43</u> Entry Electronic Notice to IDOC. (CKM) (Entered: 04/06/2022)
05/11/2022	<u>52</u>	NOTICE of Appearance by Erica Lee Sawyer on behalf of Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Sawyer, Erica) (Entered: 05/11/2022)
05/11/2022	53	NOTICE of Appearance by W. Andrew Kirtley on behalf of Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Kirtley, W.) (Entered: 05/11/2022)
05/11/2022	<u>54</u>	WAIVER OF SERVICE Returned Executed, filed by D. DAVIS, JIM BOLDMAN, DON WILLIAMS, MICHAEL PLFEEGER, DENNIS REAGLE, DUANE ALSIP. D. DAVIS waiver sent on 4/6/2022; JIM BOLDMAN waiver sent on 4/6/2022; DON WILLIAMS waiver sent on 4/6/2022; MICHAEL PLFEEGER waiver sent on 4/6/2022; DENNIS REAGLE waiver sent on 4/6/2022; DUANE ALSIP waiver sent on 4/6/2022. (Sawyer, Erica) (Entered: 05/11/2022)
06/06/2022	<u>55</u>	<i>Defendants'</i> ANSWER to <u>2</u> Complaint <i>Affirmative Defenses, and Demand for Jury</i> <i>Trial</i> , filed by DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS.(Sawyer, Erica) (Entered: 06/06/2022)
06/10/2022	<u>56</u>	ENTRY - DENYING AS UNNECESSARY SECOND MOTION FOR EXTENSION OF TIME; Edward Partlow's motion for an extension of time to respond to the defendants' summary judgment motions, dkt. <u>34</u> , is denied as unnecessary. The Court has already granted Mr. Partlow an extension through June 30, 2022. See dkt. 33. Signed by Judge Sarah Evans Barker on 6/10/2022. (CKM) (Entered: 06/10/2022)
06/13/2022	<u>57</u>	RESPONSE re 55 Answer to Complaint, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # 1 Exhibits, # 2 Existing ES Consent)(AKH) (Entered: 06/14/2022)
06/15/2022	<u>58</u>	Entry Directing Development of Exhaustion Defense and Issuing Partial Stay - The defendants' exhaustion defense will be resolved pursuant to the following schedule. The defendants shall have through July 27, 2022, in which to either: file a dispositive motion in support of the exhaustion defense; file a notice with the Court specifically identifying the fact issue(s) that preclude resolution of this affirmative defense via a dispositive motion and requesting a Pavey hearing; or file a notice with the Court withdrawing the exhaustion defense. 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 defendants shall then have fourteen (14) days in which to reply. SEE ORDER. Signed by Magistrate Judge Matthew P. Brookman on 6/15/2022.(AAS) (Entered: 06/15/2022)
06/15/2022	<u>59</u>	Submission of Letter, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit copy of existing e-consent form)(CKM) (Entered: 06/15/2022)
06/24/2022	<u>60</u>	REQUEST for Production of Documents-attachment of existing e-consent form, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Cover Letter)(CKM) (Entered: 06/27/2022)
07/22/2022	<u>61</u>	NOTICE of Appearance by Eric Ryan Shouse on behalf of Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Shouse, Eric) (Entered: 07/22/2022)

07/27/2022	<u>62</u>	NOTICE of Withdrawal of Exhaustion Defense, filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS (Shouse, Eric) (Entered: 07/27/2022)
08/02/2022	<u>63</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 3/1/2023. Discovery due by 2/1/2023. Signed by Magistrate Judge Matthew P. Brookman on 8/2/2022.(JRB) (Entered: 08/02/2022)
08/09/2022	<u>64</u>	MOTION to Withdraw <u>53</u> Notice of Appearance, <u>52</u> Notice of Appearance <i>of Erica L.</i> <i>Sawyer and W. Andrew Kirtley</i> , filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order)(Sawyer, Erica) (Entered: 08/09/2022)
08/11/2022	<u>65</u>	ORDER granting <u>64</u> MOTION to Withdraw <u>53</u> Notice of Appearance, <u>52</u> Notice of Appearance <i>of Erica L. Sawyer and W. Andrew Kirtley</i> . Signed by Magistrate Judge Matthew P. Brookman on 8/10/2022. (JRB) (Entered: 08/11/2022)
08/16/2022	<u>66</u>	Witness List, filed by Plaintiff RODNEY S. PERRY, SR, Exhibit List, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Existing E-Consent) (CKM) (Entered: 08/17/2022)
08/16/2022	<u>67</u>	REQUEST for Production of Document, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Existing E-Consent) (CKM) (Entered: 08/17/2022)
09/19/2022	<u>68</u>	Submission of Subpoenas, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> copy of e consent form) (CKM) (Entered: 09/20/2022)
09/26/2022	<u>69</u>	Letter from Rodney S. Perry Sr. to Shouse re Initial Disclosures (Attachments: # <u>1</u> Exhibit e consent NEF) (CKM) (Entered: 09/28/2022)
09/26/2022	<u>70</u>	NOTICE of Service to Defendant's, filed by Plaintiff RODNEY S. PERRY, SR (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit existing es consent - NEF) (CKM) (Entered: 09/28/2022)
09/28/2022	<u>71</u>	NOTICE to the Court, filed by Plaintiff RODNEY S. PERRY, SR (JRB) (Entered: 09/29/2022)
10/03/2022	<u>72</u>	Interrogatories, filed by Plaintiff RODNEY S. PERRY, SR.(LBT) (Entered: 10/03/2022)
10/03/2022	<u>73</u>	REQUEST for Admissions, filed by Plaintiff RODNEY S. PERRY, SR.(LBT) (Entered: 10/03/2022)
10/06/2022	<u>74</u>	MOTION to Compel, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Cover Letter)(CKM) (Entered: 10/06/2022)
10/11/2022	<u>75</u>	MOTION to Compel Production of Evidence, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: $\# \ \underline{1}$ Exhibit A, $\# \ \underline{2}$ Exhibit B, $\# \ \underline{3}$ Exhibit D-D17)(CKM) Modified

		on 10/13/2022 (CKM). Modified on 10/13/2022 (CKM). (Entered: 10/13/2022)
10/11/2022	<u>76</u>	MOTION to Compel Discovery, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # 1 Exhibit IDOC Report) (CKM) (Entered: 10/13/2022)
10/11/2022	<u>77</u>	EXHIBITS by RODNEY S. PERRY, SR. (CKM) (Entered: 10/13/2022)
10/11/2022	<u>78</u>	MOTION of Subpoena to Produce, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 10/13/2022)
10/12/2022	<u>79</u>	Submission of Discovery Certification, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 10/13/2022)
10/18/2022	<u>80</u>	RESPONSE in Opposition re 74 MOTION to Compel, 75 MOTION to Compel, 78 MOTION, 76 MOTION to Compel, filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Shouse, Eric) (Entered: 10/18/2022)
10/20/2022	<u>81</u>	NOTICE of Appearance by Carlton Wayne Anker on behalf of Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Anker, Carlton) (Entered: 10/20/2022)
10/25/2022	<u>82</u>	REPLY re <u>80</u> Response in Opposition to Motions <u>74</u> <u>75</u> and <u>78</u> , filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit B1, # <u>4</u> Exhibit B2, # <u>5</u> Exhibit A, B & C)(CKM) (Entered: 10/26/2022)
11/01/2022	<u>83</u>	MOTION or Assistance with Recruiting Counsel, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (AKH) (Entered: 11/01/2022)
11/01/2022	<u>84</u>	MOTION to Show Attempt to Secure Private Recruiting Counsel, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit B)(AKH) (Entered: 11/01/2022)
11/01/2022	<u>85</u>	MOTION Requesting for Admissions and Interrogatory to be Deemed Admitted, filed by Plaintiff RODNEY S. PERRY, SR. (AKH) (Entered: 11/02/2022)
11/10/2022	<u>86</u>	Plaintiff's RESPONSES to Defendants Request for Production of Documents, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 11/10/2022)
11/10/2022	<u>87</u>	Plaintiff's RESPONSE to Defendant's Interrogatories, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 11/14/2022)
11/10/2022	<u>88</u>	Plaintiff's RESPONSE to Defendants Request for Admissions, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) (Entered: 11/14/2022)
11/10/2022	<u>89</u>	NOTICE to the Courts, filed by Plaintiff RODNEY S. PERRY, SR (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C) (CKM) (Entered: 11/14/2022)
11/15/2022	<u>90</u>	RESPONSE in Opposition re <u>85</u> MOTION <i>Regarding Discovery Responses</i> , filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Shouse, Eric) (Entered: 11/15/2022)
11/28/2022	<u>91</u>	MOTION to Take Deposition from Plaintiff, filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Attachments: # <u>1</u> Text of Proposed Order Granting Leave to Depose Plaintiff)(Shouse, Eric) (Entered: 11/28/2022)

11/28/2022	<u>92</u>	ORDER ON DISCOVERY MOTIONS - Mr. Perry's motion to compel the defendants to serve initial disclosures, dkt. 74, is denied as moot. Mr. Perry's motion to compel production of video evidence, dkt. 75, is denied as presented. Mr. Perry's motion for an order permitting inspection of the Indiana State Prison, dkt. 78, is denied. Mr. Perry's motion for sanctions based on untimely responses to interrogatories and requests for admission, dkt. 85, is denied. SEE ORDER. Signed by Magistrate Judge Matthew P. Brookman on 11/28/2022. (JRB) (Entered: 11/29/2022)
11/30/2022	<u>94</u>	NOTICE of Service of Expert Disclosures, filed by Plaintiff RODNEY S. PERRY, SR (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Exhibits) (AKH) (Entered: 12/02/2022)
12/01/2022	<u>93</u>	ORDER granting <u>91</u> Motion to Take Deposition from RODNEY PERRY. Signed by Magistrate Judge Matthew P. Brookman on 12/1/2022. (JRB) (Entered: 12/01/2022)
12/05/2022	<u>95</u>	Emergency MOTION to Schedule Conference, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibits A-D) (CKM) (Entered: 12/06/2022)
12/07/2022	<u>96</u>	MOTION for Leave to File to Depose Defendant's, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Notice of Depositions, # <u>2</u> Proposed Order) (CKM) (Entered: 12/07/2022)
12/08/2022	<u>97</u>	Letter to Atty re Request for Production of Documents from Ryan Shouse. (CKM) (Entered: 12/08/2022)
12/08/2022	<u>98</u>	Letter to Ryan Shouse for Failure of Production of Evidence. (CKM) Modified text on 12/9/2022 (TMB). (Entered: 12/08/2022)
12/08/2022	<u>99</u>	Letter to Ryan Shouse to Atty re Production of video Evidence. (CKM) Modified text on 12/9/2022 (TMB). (Entered: 12/08/2022)
12/14/2022	<u>100</u>	Second MOTION for Leave to Compel Production of a Second in Camera Inspection, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit Verification of Authenticity, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D1-D17)(CKM) (Entered: 12/15/2022)
12/14/2022	<u>101</u>	NOTICE of Service to Defendants to Subpoena to Produce a Second in Camera Inspection, filed by Plaintiff RODNEY S. PERRY, SR (Attachments: # <u>1</u> Exhibit a, # <u>2</u> Exhibit b, # <u>3</u> Exhibit c) (CKM) (Entered: 12/15/2022)
12/15/2022	<u>102</u>	NOTICE to Attorney Shouse re Subpoenas to Produce, filed by Plaintiff RODNEY S. PERRY, SR (Attachments: # <u>1</u> Attachments) (CKM) (Entered: 12/15/2022)
12/20/2022	<u>103</u>	NOTICE <i>Regarding Settlement Conference</i> , filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS (Shouse, Eric) (Entered: 12/20/2022)
12/20/2022	<u>104</u>	MOTION for Court to Extend Order Setting Pretrial Schedule of Discovery Deadlines, filed by Plaintiff RODNEY S. PERRY, SR. (DWH) (Entered: 12/20/2022)
12/20/2022	<u>105</u>	Letter to Attorney Shouse dated December 19, 2022 from Plaintiff. (DWH) (Entered: 12/20/2022)
12/27/2022	106	ORDER - Mr. Perry's motion regarding custody of video evidence, dkt. <u>95</u> , is granted to the limited extent that the defendants will have through January 9, 2023, to file a declaration from an official at ISP verifying that Mr. Perry has viewed the video evidence discussed in his motion. Mr. Perry's remaining discovery motions, dkts. <u>96</u> , <u>100</u> , and <u>104</u> , are denied. SEE ORDER. Signed by Magistrate Judge Matthew P.

		Brookman on 12/27/2022. (AAS) (Entered: 12/27/2022)
12/29/2022	<u>107</u>	ORDER DENYING WITHOUT PREJUDICE MOTION FOR ASSISTANCE WITH RECRUITING COUNSEL - Rodney Perry has filed a motion for assistance recruiting counsel. Dkt. <u>83</u> . Litigants in federal civil cases do not have a constitutional or statutory right to court-appointed counsel. Mr. Perry states that his ability to litigate pro se is hindered by depression and diabetes, which leave him exhausted and limit his attention. But these conditions do not make Mr. Perry unique among prisoners litigating civil cases. Moreover, Mr. Perry's thorough and voluminous filings show that he is able to request, gather, organize, and present evidence to the Court. He filed 13 motions and other filings between November 28 and December 20 alone. For these reasons, Mr. Perry is capable of litigating this action pro se through the resolution of motions for summary judgment. The Court will remain alert to changes in circumstances that may warrant reconsideration of the motion, such as a settlement conference or trial. Mr. Perry's motion to demonstrate reasonable efforts to recruit counsel, dkt. <u>84</u> , is GRANTED. However, his motion to appoint counsel, dkt. <u>83</u> , is DENIED. (See Order). Signed by Judge Sarah Evans Barker on 12/29/2022. (AKH) (Entered: 12/29/2022)
12/30/2022	108	NOTICE <i>Confirming Video Evidence Viewed by Plaintiff</i> , filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS, re <u>106</u> Order on MotionOrder on Motion for Leave to FileOrder on Motion to CompelOrder on Motion for Extension of Time to File. (Attachments: # <u>1</u> Exhibit 1 - Letter from Plaintiff, # <u>2</u> Exhibit 2 - Affidavit of Lott) (Shouse, Eric) (Entered: 12/30/2022)
01/03/2023	<u>109</u>	NOTICE re Settlement Conference, filed by Plaintiff RODNEY S. PERRY, SR (JDC) (Entered: 01/04/2023)
01/04/2023	<u>110</u>	MOTION for Discovery and Deposition, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) Modified on 1/10/2023 (CKM). (Entered: 01/06/2023)
01/04/2023	<u>111</u>	NOTICE of Service of Written Discovery, filed by Plaintiff RODNEY S. PERRY, SR (CKM) (Entered: 01/06/2023)
01/04/2023	<u>112</u>	*** PLEASE DISREGARD DOCKETED IN ERROR *** MOTION for Discovery and Deposition, filed by Plaintiff RODNEY S. PERRY, SR. (CKM) Modified on 1/10/2023 (CKM). (Entered: 01/06/2023)
01/06/2023	<u>113</u>	***PLEASE DISREGARD. STRICKEN BY <u>116</u> *** MOTION to Compel, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> certification, # <u>2</u> Exhibit)(JDC) Modified on 1/12/2023 (JRB). (Entered: 01/06/2023)
01/06/2023	<u>114</u>	Submission of Notices sent to Defendants, filed by Plaintiff RODNEY S. PERRY, SR. (JDC) (Entered: 01/06/2023)
01/09/2023	115	RESPONSE in Opposition re <u>113</u> MOTION to Compel <i>Discovery</i> , filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Attachments: # <u>1</u> Exhibit A - RFP Response)(Shouse, Eric) (Entered: 01/09/2023)
01/12/2023	116	ORDERRESOLVING DISCOVERY MOTIONS AND ORDERING PLAINTIFF TO SHOW CAUSE - Mr. Perry's motion for leave to depose witnesses, dkt. <u>110</u> , is granted to the limited extent discussed in Part I. The clerk is directed to strike Mr. Perry's motion to compel, dkt. <u>113</u> . For the reasons discussed in Part II, Mr. Perry will

		have through February 10, 2023, to show cause why he should not be sanctioned pursuant to Federal Rule of Civil Procedure 11(c) for filing a frivolous motion. SEE ORDER. Signed by Magistrate Judge Matthew P. Brookman on 1/12/2023. (JRB) (Entered: 01/12/2023)
01/13/2023	<u>117</u>	Letter to Defendants re Request for Production of Preliminary Statement from Rodney S. Perry. (Attachments: # <u>1</u> Exhibit) (CKM) (Entered: 01/17/2023)
01/17/2023	<u>118</u>	REPLY re <u>115</u> Response in Opposition to Motion, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B1, # <u>4</u> Exhibit B2, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D-D-3)(CKM) (Entered: 01/18/2023)
01/19/2023	<u>119</u>	NOTICE to Court, filed by Plaintiff RODNEY S. PERRY, SR (JDC) (Entered: 01/19/2023)
01/19/2023	<u>120</u>	MOTION for Reconsideration re <u>116</u> Order on Motion for Discovery Order on Motion to Compel, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit) (JDC) (Entered: 01/19/2023)
01/23/2023	<u>121</u>	MOTION FOR COMPLAINT, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E) (CKM) (Entered: 01/24/2023)
01/26/2023	<u>122</u>	Letter to Defendants' Counsel from Plaintiff. (JDC) (Entered: 01/27/2023)
01/30/2023	<u>123</u>	MOTION In Opposition of Deposition taken Pursuant to Federal Rule of Civil Procedure 30, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit) (JDC) (Entered: 01/31/2023)
02/06/2023	<u>124</u>	RESPONSE in Opposition re <u>123</u> MOTION , filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Anker, Carlton) (Entered: 02/06/2023)
02/10/2023	<u>125</u>	REPLY re <u>123</u> MOTION, <u>124</u> Response in Opposition to Motion, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit)(JDC) (Entered: 02/13/2023)
02/22/2023	126	ORDER - Plaintiff Rodney Perry has filed a motion seeking sanctions for spoliation of evidence. Dkt. <u>121</u> . If the defendants wish to respond to this motion, they will do so no later than February 24, 2023. Mr. Perry's motion to strike transcripts of his deposition, dkt. <u>123</u> , is denied. SEE ORDER. Signed by Magistrate Judge Matthew P. Brookman on 2/22/23. (JRB) (Entered: 02/23/2023)
02/24/2023	<u>127</u>	RESPONSE in Opposition re <u>121</u> MOTION <i>Seeking Sanctions for Spoliation of Evidence</i> , filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Attachments: # <u>1</u> Exhibit A - Video Retention Summary, # <u>2</u> Exhibit B - Affidavit of Wargny)(Shouse, Eric) (Entered: 02/24/2023)
02/27/2023	128	ORDER - The Court ordered Rodney Perry to show cause why he should not be sanctioned for filing a motion to compel responses to discovery requests before the responses were due. Dkt. <u>116</u> . Mr. Perry responded with a document titled "Plaintiff's Motion in Response to Order Resolving Discovery Motions and Ordering Plaintiff to Show Cause Not Be Sanctioned Pursuant to Fed. R. Civ. P. Rule 11(c) [ECF116]." Dkt. <u>120</u> . Mr. Perry's motion is granted insofar as the Court accepts Mr. Perry's filing as a response to the show-cause order. The Court will resolve the questions of whether and what sanctions are appropriate by a separate order. Signed by Magistrate Judge

		Matthew P. Brookman on 02/27/2023. (AAS) (Entered: 02/27/2023)
03/01/2023	<u>129</u>	MOTION for Summary Judgment, filed by Defendants DUANE ALSIP, JIM BOLDMAN, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Shouse, Eric) (Entered: 03/01/2023)
03/01/2023	<u>130</u>	Designation of Evidence re <u>129</u> MOTION for Summary Judgment , filed by Defendants DUANE ALSIP, JIM BOLDMAN, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Attachments: # <u>1</u> Exhibit A - Deposition of Perry, # <u>2</u> Exhibit B - Pfleeger Interrogatory Responses, # <u>3</u> Exhibit C - Boldman Interrogatory Responses, # <u>4</u> Exhibit D - Plaintiff's Grievance Documents)(Shouse, Eric) (Entered: 03/01/2023)
03/01/2023	<u>131</u>	BRIEF/MEMORANDUM in Support re <u>129</u> MOTION for Summary Judgment, filed by Defendants DUANE ALSIP, JIM BOLDMAN, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Shouse, Eric) (Entered: 03/01/2023)
03/01/2023	<u>132</u>	NOTICE Regarding Right to Respond to and Submit Evidence in Opposition to Motion for Summary Judgment, filed by Defendants DUANE ALSIP, JIM BOLDMAN, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS (Shouse, Eric) (Entered: 03/01/2023)
03/06/2023	<u>133</u>	REPLY re <u>127</u> Response in Opposition to Motion, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(JDC) (Entered: 03/07/2023)
03/14/2023	<u>134</u>	MOTION for Extension of Time filed by Plaintiff RODNEY S. PERRY, SR. (JDC) (Entered: 03/15/2023)
03/20/2023	<u>135</u>	ORDER granting <u>134</u> Motion for Extension of Time to File a Response to <u>129</u> Motion for Summary Judgment to 4/28/23. Signed by Magistrate Judge Matthew P. Brookman on 3/20/23. (JRB) (Entered: 03/20/2023)
03/29/2023	<u>136</u>	ORDER denying <u>121</u> Motion for Discovery Sanctions - Mr. Perry continues to have through April 28, 2023, to respond to the summary judgment motion. SEE ORDER. Signed by Magistrate Judge Matthew P. Brookman on 3/29/23. (JRB) (Entered: 03/29/2023)
04/05/2023	<u>137</u>	NOTICE of Reassignment of Case to Magistrate Judge Tim A. Baker. Magistrate Judge Matthew P. brookman is no longer assigned to this case. Please include the new case number, <b>1:21-CV-2753-SEB-TAB</b> , on all future filings in this matter. (JRB) (Entered: 04/05/2023)
04/25/2023	<u>138</u>	SECOND MOTION for Extension of Time, filed by Plaintiff RODNEY S. PERRY, SR. (JDC) (Entered: 04/26/2023)
05/09/2023	<u>139</u>	ORDER granting <u>138</u> Motion for Extension of Time to File a Response to <u>129</u> Motion for Summary Judgment to 5/28/23. Signed by Magistrate Judge Tim A. Baker on 5/9/23. (JRB) (Entered: 05/09/2023)
05/10/2023	<u>140</u>	MOTION Requesting Copies, filed by Plaintiff RODNEY S. PERRY, SR. (JSR) (Entered: 05/10/2023)
05/18/2023	<u>141</u>	ORDER granting <u>140</u> Motion for Copies - Rodney Perry's motion for copies, dkt. <u>140</u> , is granted. The clerk is directed to include copies of the exhibits at dkt. [2-2] with Mr. Perry's copy of this order. He continues to have through May 28, 2023, to respond to the defendants' motion for summary judgment, dkt. <u>129</u> . Signed by Magistrate Judge

		Tim A. Baker on 05/18/2023. (Attachments: # <u>1</u> Exhibits at [2-2]) (AAS) (Entered: 05/18/2023)
05/19/2023	<u>142</u>	RESPONSE in Opposition re <u>129</u> MOTION for Summary Judgment , filed by Plaintiff RODNEY S. PERRY, SR. (AAS) (Entered: 05/22/2023)
05/19/2023	<u>143</u>	BRIEF/MEMORANDUM in Support of Response in Opposition to Motion re 129 MOTION for Summary Judgment, filed by Plaintiff RODNEY S. PERRY, SR. (AAS) (Entered: 05/22/2023)
05/19/2023	<u>144</u>	Designation of Evidence re <u>143</u> Brief/Memorandum in Support, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit)(AAS) (Entered: 05/22/2023)
05/19/2023	<u>145</u>	NOTICE Regarding Right to Respond to Motion for Summary Judgment dkt. <u>129</u> , filed by Plaintiff RODNEY S. PERRY, SR (AAS) (Entered: 05/22/2023)
06/01/2023	<u>146</u>	MOTION Requesting Copies, filed by Plaintiff RODNEY S. PERRY, SR. (KAA) (Entered: 06/01/2023)
06/02/2023	147	REPLY in Support of Motion re <u>129</u> MOTION for Summary Judgment <i>and Response</i> <i>in Opposition to Plaintiff's Motion for Summary Judgment</i> , filed by Defendants DUANE ALSIP, JIM BOLDMAN, D. DAVIS, MICHAEL PLFEEGER, DENNIS REAGLE, DON WILLIAMS. (Shouse, Eric) (Entered: 06/02/2023)
06/13/2023	148	ORDER - Rodney Perry's motion requesting copies, dkt. <u>146</u> , is denied. The Court granted a previous request and sent Mr. Perry copies of the exhibits he filed with his complaint, totaling 39 pages of materials. Dkts. <u>141</u> , 141-1. All documents filed with the complaint have been provided. The clerk is directed to include a copy of the public docket sheet with Mr. Perry's copy of this order. Signed by Magistrate Judge Tim A. Baker on 6/13/2023. (Attachments: # <u>1</u> Public Docket Sheet) (KAA) (Entered: 06/13/2023)
02/16/2024	<u>149</u>	Correspondence REQUESTING COPY of Case Docket Sheet, filed by Rodney Perry. (Attachments: # <u>1</u> Public Docket sheet) (LF) (Entered: 02/20/2024)
02/22/2024	<u>150</u>	NOTICE regarding settlement conference, filed by Plaintiff RODNEY S. PERRY, SR (AJG) (Entered: 02/22/2024)
03/05/2024	151	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION FOR SUMMARY JUDGMENT - The Defendants' motion for summary judgment, dkt. <u>129</u> , is granted in part and denied in part. No evidence supports any claim against Defendant Boldman going forward, and all claims against him are dismissed. The clerk is directed to terminate Defendant Boldman as a defendant on the docket. As to Defendants Reagle, Alsip, Pfleeger, and Williams, summary judgment is granted as to all claims except those relating to the cleanliness of Plaintiff's cell and the showers in Pendleton's G-house during the time Plaintiff was housed there. The cleanliness claims will be resolved by a settlement or trial. The clerk is directed to terminate Property Officer D. Davis as a defendant on the docket because the claims against him were severed into a new civil action. The Court now sua sponte reconsiders Plaintiff's motion for counsel, dkt. <u>83</u> , and will attempt to recruit counsel to represent Plaintiff through final judgment. However, the clerk is directed to send Plaintiff a form motion for assistance with recruiting counsel. Because this form contains the terms of accepting counsel, Plaintiff must complete the form and return it no later than April 1, 2024, if he seeks the Court's assistance. (See Order.) Signed by Judge Sarah Evans Barker on 3/5/2024. (Attachments: # <u>1</u> Motion for Assistance with

		Recruiting Counsel form) (JSR) (Entered: 03/06/2024)
03/19/2024	<u>152</u>	MOTION to Appoint Counsel, filed by Plaintiff RODNEY S. PERRY, SR. (Attachments: # <u>1</u> Exhibit)(KAA) (Entered: 03/20/2024)
03/22/2024	<u>153</u>	ORDER granting <u>152</u> MOTION FOR ASSISTANCE WITH RECRUITING COUNSEL Plaintiff's motion for assistance with recruiting counsel, dkt. <u>152</u> , is granted to the extent that the Court will attempt to recruit pro bono counsel to represent the plaintiff through final judgment. Signed by Judge Sarah Evans Barker on 03/22/2024. (AAT) (Entered: 03/25/2024)

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