

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

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:24-cv-00186-RLY-CSW**

WHITE v. NKEMAKOLOM et al
Assigned to: District Judge Richard L Young
Referred to: Magistrate Judge Crystal S. Wildeman
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 01/26/2024
Jury Demand: Both
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff

RAYMOND CURTHEL WHITE

represented by **RAYMOND CURTHEL WHITE**
134979
PLAINFIELD - CF
PLAINFIELD CORRECTIONAL
FACILITY
Inmate Mail/Parcels
727 MOON ROAD
PLAINFIELD, IN 46168
PRO SE

V.

Defendant

NKEMAKOLOM
Sgt.

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

L. VAN
Officer.

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
01/26/2024	<u>1</u>	COMPLAINT against NKEMAKOLOM, OMALEY, PLAINFIELD CORRECTIONAL FACILITY, L. VAN, filed by RAYMOND CURTHEL WHITE. (No fee paid with this filing) (Attachments: # <u>1</u> Envelope)(DJH) (Entered: 01/29/2024)
01/26/2024	<u>2</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff RAYMOND CURTHEL WHITE. (Attachments: # <u>1</u> Offender Activity)(DJH) (Additional attachment(s) added on 1/29/2024: # <u>2</u> Envelope) (DJH). (Entered: 01/29/2024)
01/29/2024	<u>3</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 01/29/2024)
01/29/2024	<u>4</u>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (DJH) (Entered: 01/29/2024)
01/31/2024	<u>5</u>	NOTICE to Pro se Litigant - The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the Court. (Copy sent to plaintiff via US mail). (JRT) (Entered: 01/31/2024)
01/31/2024	<u>6</u>	Order on Motion to Proceed In Forma Pauperis: The plaintiff's motion to proceed in forma pauperis, dkt. <u>2</u> , is granted to the extent that the plaintiff is assessed an initial partial filing fee of Nineteen Dollars and Thirteen Cents (\$19.13). See 28 U.S.C. § 1915(b)(1). The plaintiff shall have through February 29, 2024, in which to pay this sum to the clerk of the district court. See order. Signed by District Judge Richard L Young on 1/31/2024. Copy mailed to Plaintiff. (LF) (Entered: 01/31/2024)
04/01/2024	<u>7</u>	ORDER REGARDING FILING FEE - Petitioner Raymond Curthel White was given through March 28, 2024, in which to pay the \$5.00 filing fee for this action. Dkt. <u>5</u> . He has failed to do so. Accordingly, Mr. White shall have one final opportunity, through April 26, 2024, to resolve the filing fee in this action. The failure to do so by this extended deadline will result in the dismissal of this action without further warning or opportunity to show cause. Signed by District Judge Richard L. Young on 4/1/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 04/01/2024)
05/07/2024	<u>8</u>	ORDER REGARDING FILING FEE - Petitioner Raymond Curthel White was given a period of time in which to pay the \$5.00 filing fee for this action. Dkt. <u>5</u> . He has failed to do so. Accordingly, Mr. White shall have one final opportunity, through May 28, 2024, to resolve the filing fee in this action. The failure to do so by this extended deadline will result in the dismissal of this action without further warning or opportunity to show cause. Copy to Plaintiff via US Mail. Signed by District Judge Richard L Young on 5/7/2024.(SWM) (Entered: 05/08/2024)
05/13/2024	9	RECEIPT #10293 for Initial Partial Filing fee in the amount of \$19.13, paid by RAYMOND C. WHITE. (CCG) (Entered: 05/13/2024)

08/05/2024	10	ORDER Screening Complaint and Directing Further Proceedings - The claims which shall proceed are the following: excessive force claims against Sgt. Nkemakolom and Officer L. Van. 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 August 29, 2024, in which to identify those claims. The clerk is directed to terminate Plainfield Correctional Facility and Officer Omaley as defendants on the docket. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants Sgt. Nkemakolom and Office L. Van in the manner specified by Rule 4(d). Process shall consist of the complaint, dkt 1 , 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 employees electronically. See Order for details. Signed by District Judge Richard L Young on 8/5/2024 (Copy mailed to Plaintiff).(LBT) (Entered: 08/06/2024)
08/06/2024	11	NOTICE of Lawsuit & Waiver Issued by Clerk to 1) Sergeant Nkemakolom and 2) Officer L. Van. (LBT) (Entered: 08/06/2024)
08/06/2024	12	Documents to be Sent via Electronic Notice - re 1 Complaint, 10 Order, 11 NOTICE of Lawsuit & Waiver Issued by Clerk. Electronic Notice to IDOC. (LBT) (Entered: 08/06/2024)
08/20/2024	13	NOTICE of Appearance by Jonathan Freije on behalf of Defendants NKEMAKOLOM, L. VAN. (Freije, Jonathan) (Entered: 08/20/2024)
08/20/2024	14	WAIVER OF SERVICE Returned Executed, filed by L. VAN, NKEMAKOLOM. L. VAN waiver sent on 8/6/2024; NKEMAKOLOM waiver sent on 8/6/2024. (Freije, Jonathan) (Entered: 08/20/2024)
08/20/2024	15	NOTICE of Appearance by Erica Lee Sawyer on behalf of Defendants NKEMAKOLOM, L. VAN. (Sawyer, Erica) (Entered: 08/20/2024)
09/03/2024	16	ORDER Directing Monthly Payments be made from Prison Account of RAYMOND CURTHEL WHITE, 134979 - Plaintiff's custodian is directed to withhold sums from the inmate trust account of RAYMOND CURTHEL WHITE, 134979, 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, 1:24-CV-00186-RLY-CSW, 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. The sums withheld and forwarded shall be twenty percent (20%) of the preceding month's income credited to the inmate's account. "Income" means all deposits including settlement proceeds, gifts, or bequests from family.1 Such sums shall be forwarded to the Clerk each time the amount in the inmate's account exceeds Ten Dollars (\$10.00) until the filing fee is paid. This means that no payment shall be made for less than \$2.00. As of the issuance of this Order, the balance of the filing fee still due in this case is \$330.87. SEE ORDER. Copies provided per distribution list. Signed by Magistrate Judge Crystal S. Wildeman on 09/03/2024. (AAS) (Entered: 09/03/2024)
10/01/2024	17	ANSWER TO PLAINTIFFS COMPLAINT, AFFIRMATIVE DEFENSES, AND JURY DEMAND, filed by Defendants NKEMAKOLOM, L. VAN. (Freije, Jonathan) (Entered: 10/01/2024)

11/01/2024	18	RECEIPT #12794 for Partial Filing fee in the amount of \$15.00, paid by RAYMOND CURTHEL WHITE. (CCG) (Entered: 11/01/2024)
11/04/2024	19	RECEIPT #12843 for Partial Filing fee in the amount of \$15.20, paid by RAYMOND CURTHEL WHITE. (CCG) (Entered: 11/04/2024)
11/05/2024	20	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 6/4/2025. Discovery due by 5/5/2025. Signed by Magistrate Judge Crystal S. Wildeman on 11/5/2024. Copy mailed to Plaintiff. (BAA) (Entered: 11/05/2024)
11/15/2024	21	ORDER SETTING INITIAL DISCOVERY CONFERENCE - A Telephonic Initial Discovery Conference is set for 1/24/2025 at 10:30 AM (Eastern Time) before Magistrate Judge Crystal S. Wildeman. The Court will contact counsel through the Court's electronic filing system with the call-in information to be used to participate in the conference. The Court will contact staff at Plainfield Correctional Facility by separate email to obtain/provide the call-in information needed to connect Mr. White to the conference. (See Order.) Signed by Magistrate Judge Crystal S. Wildeman on 11/15/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 11/18/2024)
11/15/2024	22	ORDER to Make Inmate Available via Telephone - Warden of Plainfield Correctional Facility ordered to make RAYMOND CURTHEL WHITE available via telephone for court proceeding on 1/24/2025 at 10:30 A.M. (EASTERN TIME). (See Order.) Signed by Magistrate Judge Crystal S. Wildeman on 11/15/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 11/18/2024)
11/25/2024	23	ORDER VACATING INITIAL DISCOVERY CONFERENCE: Comes now the Court, sua sponte, and VACATES the Telephonic Initial Discovery Conference set for January 24, 2025, at 10:30 a.m. (EST). This conference will not be rescheduled, and discovery can commence pursuant to the Order Setting Pretrial Schedule And Discussing Discovery In Prisoner Litigation (Dkt. No. 20). See Order. Signed by Magistrate Judge Crystal S. Wildeman on 11/25/2024. (Copy mailed to Plaintiff.)(LF) Modified on 11/26/2024 (LF). (Entered: 11/26/2024)
12/06/2024	24	RECEIPT #13276 for Partial Filing fee in the amount of \$31.00, paid by RAYMOND CURTHEL WHITE. (CCG) (Entered: 12/06/2024)
01/03/2025	25	MOTION for Extension of Time to 1/17/2025 <i>TO SEND INITIAL DISCLOSURES TO PLAINTIFF</i> , filed by Defendants NKEMAKOLOM, L. VAN. (Attachments: # 1 Text of Proposed Order)(Freije, Jonathan) (Entered: 01/03/2025)
01/10/2025	26	ORDER granting 25 Motion for Extension of Time - Defendants are GRANTED extensions of time up to and including January 17, 2025, to send initial disclosures to Plaintiff. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Crystal S. Wildeman on 1/10/2025. (JRB) (Entered: 01/10/2025)
01/15/2025	27	RECEIPT #13786 for Partial Filing fee in the amount of \$9.60, paid by RAYMOND CURTHEL WHITE. (CCG) (Entered: 01/15/2025)

01/17/2025	28	NOTICE of Service of Initial Disclosures , filed by Defendants NKEMAKOLOM, L. VAN. (Freije, Jonathan) (Entered: 01/17/2025)
01/29/2025	29	NOTICE OF SERVICE OF DEFENDANTS' SUPPLEMENT TO INITIAL DISCLOSURES, filed by Defendants NKEMAKOLOM, L. VAN (Freije, Jonathan) (Entered: 01/29/2025)
02/11/2025	30	RECEIPT #14193 for partial filing fee in the amount of \$11.12, paid by RAYMOND CURTHIEL WHITE. (DJH) (Entered: 02/11/2025)
03/20/2025	31	RECEIPT #14690 for Partial Filing fee in the amount of \$12.00, paid by RAYMOND CURTHEL WHITE. (CCG) (Entered: 03/20/2025)
03/25/2025	32	***DISREGARD - AMENDED AT 33 *** MOTION to Take Deposition from Raymond White , filed by Defendants NKEMAKOLOM, L. VAN. (Attachments: # 1 Text of Proposed Order GRANTING DEFENDANTS MOTION FOR LEAVE TO TAKE DEPOSITION OF PLAINTIFF)(Sawyer, Erica) Modified on 3/26/2025 (TMD). (Entered: 03/25/2025)
03/25/2025	33	AMENDED 32 MOTION to Take Deposition from Raymond White , filed by Defendants NKEMAKOLOM, L. VAN. (Attachments: # 1 Text of Proposed Order GRANTING DEFENDANTS MOTION FOR LEAVE TO TAKE DEPOSITION OF PLAINTIFF)(Sawyer, Erica) Modified on 3/26/2025 (TMD). (Entered: 03/25/2025)
03/31/2025	34	ORDER GRANTING 33 DEFENDANTS' MOTION FOR LEAVE TO TAKE DEPOSITION OF PLAINTIFF: IT IS HEREBY ORDERED that the Defendants are granted leave to depose Plaintiff Raymond White as provided for in Rule 30(d)(1), prior to the close of discovery. See Order. Signed by Magistrate Judge Crystal S. Wildeman on 3/31/2025.(Copy to Plaintiff via US Mail.) (LF) (Entered: 04/01/2025)
04/04/2025	35	NOTICE REGARDING SETTLEMENT CONFERENCE, filed by Defendants NKEMAKOLOM, L. VAN, re 20 Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation. (Sawyer, Erica) (Entered: 04/04/2025)
04/24/2025	36	RECEIPT #15195 for partial filing fee in the amount of \$15.60, paid by RAYMOND CURTHIEL WHITE. (DJH) (Entered: 04/24/2025)
05/01/2025	37	NOTICE of Appearance by Eric Ryan Shouse on behalf of Defendants NKEMAKOLOM, L. VAN. (Shouse, Eric) (Entered: 05/01/2025)
05/01/2025	38	MOTION to Withdraw Attorney Appearance <i>Jonathan M. Freije and Erica L. Sawyer</i> , filed by Defendants NKEMAKOLOM, L. VAN. (Attachments: # 1 Text of Proposed Order)(Freije, Jonathan) (Entered: 05/01/2025)
05/01/2025	39	MOTION for Extension of Time to <i>Complete Discovery and File Motions for Summary Judgment</i> , filed by Defendants NKEMAKOLOM, L. VAN. (Attachments: # 1 Text of Proposed Order Extending Deadlines)(Shouse, Eric) (Entered: 05/01/2025)
05/02/2025	40	NOTICE of Appearance by Carlton Wayne Anker on behalf of Defendants NKEMAKOLOM, L. VAN. (Anker, Carlton) (Entered: 05/02/2025)
05/02/2025	41	ORDER granting 38 Motion to Withdraw Attorney Appearance. Attorney Jonathan Freije and Erica Lee Sawyer withdrawn. Signed by Magistrate Judge Crystal S. Wildeman on 5/2/2025. (JRB) (Entered: 05/02/2025)

05/14/2025	42	ORDER EXTENDING DEADLINES - Defendants, having filed a Motion for Extension of Discovery and Motions for Summary Judgment Deadlines, and the Court having read the motion and finding good cause, now orders as follows: Defendants' Motion to Extend Deadlines is GRANTED. (Dkt. 39). IT IS THEREFORE ORDERED that the discovery deadline is extended to June 19, 2025, and the motions for summary judgment deadline is extended to July 21, 2025. Copy to Plaintiff via US mail. Signed by Magistrate Judge Crystal S. Wildeman on 05/14/2025. (AJG) (Entered: 05/15/2025)
05/16/2025	43	RECEIPT #15515 for Partial Filing fee in the amount of \$18.00, paid by RAYMOND CURTHEL WHITE. (CCG) (Entered: 05/16/2025)
05/30/2025	44	Correspondence REQUESTING COPY of Case Docket Sheet, filed by Raymond White. Copy/Copies provided via US Mail. (Attachments: # 1 Public Docket Sheet) (AAS) (Entered: 06/02/2025)
06/04/2025	45	Witness List (<i>Preliminary</i>), filed by Defendants NKEMAKOLOM, L. VAN. (Shouse, Eric) (Entered: 06/04/2025)
07/01/2025	46	RECEIPT #15958 for partial filing fee in the amount of \$16.00, paid by Raymond Curthel White. *Payment received 6/16/2025 and receipted today's date.* (BAA) (Entered: 07/01/2025)
07/21/2025	47	NOTICE <i>Regarding Summary Judgment</i> , filed by Defendants NKEMAKOLOM, L. VAN (Shouse, Eric) (Entered: 07/21/2025)
07/29/2025	48	ORDER - On July 21, 2025, Defendants filed a notice indicating that they no longer intend to file a motion for summary judgment. Dkt. 47 . Accordingly, Mr. White's claims proceed to either settlement or trial. At this juncture, the Court prefers that Mr. White be represented by counsel for the remainder of this action. The clerk is directed to send Mr. White a motion for assistance recruiting counsel with his copy of this order. Mr. White has through August 22, 2025, to file a motion for counsel using this form motion or to file a notice indicating he prefers to proceed pro se. Once any motion has been ruled on and counsel has been recruited, the magistrate judge is asked to schedule a telephonic status conference to discuss settlement and trial readiness. Signed by District Judge Richard L Young on 7/29/2025. (Copy to plaintiff via US Mail.) (Attachments: # 1 Motion for Counsel Form)(KAA) (Entered: 07/29/2025)
08/19/2025	49	RECEIPT #16803 for Partial Filing fee in the amount of \$20.65, paid by RAYMOND CURTHEL WHITE. (CCG) (Entered: 08/19/2025)
09/11/2025	50	ORDER - On July 29, 2025, the Court ordered Mr. White to file a motion for counsel using the attached form motion by August 22, 2025. Dkt. 48 . Mr. White has failed to do so. Mr. White shall have through September 30, 2025, to file either (1) a motion for counsel using the form motion attached to this order; or (2) file a notice indicating that he has retained counsel or otherwise intends to proceed pro se. Further inaction by Mr. White will be interpreted as his intent to proceed pro se. The clerk is directed to resend Mr. White a motion for assistance recruiting counsel form. Copy sent to plaintiff via US mail. Signed by Magistrate Judge Crystal S. Wildeman on 9/11/2025. (Attachments: # 1 Blank Motion for Assistance Recruiting Counsel Form)(TPS) (Entered: 09/11/2025)
09/15/2025	51	RECEIPT #17210 for Partial Filing fee in the amount of \$166.70, paid by RAYMOND CURTHEL WHITE. (CCG) (Entered: 09/15/2025)

09/16/2025	52	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. A copy of this Notice shall be distributed to the plaintiff's custodian. Signed by District Judge Richard L Young on 09/16/2025. Copy to Plaintiff via US Mail.(AAS) (Entered: 09/16/2025)
10/29/2025	53	MOTION to Appoint Counsel, filed by Plaintiff RAYMOND CURTHEL WHITE. (SAM) (Entered: 10/29/2025)
12/03/2025	54	ORDER - This matter comes before the court on Mr. White's motion for assistance with recruiting counsel. Dkt. 53 . After defendants filed a notice indicating that they no longer intend to file a motion for summary judgment, the court directed Mr. White to file a motion for assistance with recruiting counsel because his claims were proceeding to settlement or trial. Dkt. 48 . The court sua sponte extended the deadline for Mr. White to file a motion for counsel until September 30, 2025. Dkt. 50 . Mr. White filed a motion for assistance recruiting counsel using the Court's form dated September 29, 2025. That motion, dkt. 53 , is granted. The Court will assist Mr. White in obtaining an attorney for the remaining proceedings. Copy to Plaintiff via US mail. Signed by District Judge Richard L Young on 12/03/2025. (AJG) (Entered: 12/03/2025)

Case #: 1:24-cv-00186-RLY-CSW