

Central District of Illinois

Civil prisoner cases needing Pro Bono Counsel (November 2021)

20-1399 Austin v. Hansen et al. Austin - Plaintiff has an Eighth Amendment claim alleging Pontiac Medical Defendants were deliberately indifferent to his serious medical conditions. Plaintiff claims he was suffering from an infection and a hernia. His claims are laid out in a December 15, 2020 order if counsel would like to review (contact Clerk at 217-492-5204 and a copy can be provided) Some discovery has been done.

20-4054 Echols v Johnson, et al. - Plaintiff, proceeding pro se from his detention in the Rushville Treatment and Detention Center, claims that Defendants failed to protect Plaintiff from an attack by another resident. The other resident, Paul Rexroat, hit Plaintiff in the face with two food trays while Plaintiff was handcuffed behind his back on September 17, 2019. According to Plaintiff, Defendants were aware that Mr. Rexroat posed a substantial risk of serious harm to Plaintiff because Mr. Rexroat was heard telling Defendants that "there would be a problem" if Mr. Rexroat did not get the roommate he wanted. [Orr Aff.] Drawing reasonable inferences in Plaintiff's favor, a few days before the incident Mr. Rexroat told another officer that Mr. Rexroat felt threatened by Plaintiff because Plaintiff had threatened Mr. Rexroat. The "tension" between Mr. Rexroat and Plaintiff was reported to an unidentified "zone STA 2." [9/16/19 incident report.] Defendant Johnson is an STA 2, which stands for "Security Therapy Aide II." Mr. Rexroat also refused to move his belongings in order to make room for Plaintiff. According to Plaintiff, Mr. Rexroat was trying to force Plaintiff to refuse housing so that Plaintiff would be the one to taken to segregation instead of Mr. Rexroat. Both were in the process of being taken to segregation, but Plaintiff was handcuffed first, giving Mr. Rexroat an opportunity to attack Plaintiff with the food trays. Defendants' move for summary judgment, asserting that they had no advance notice that Mr. Rexroat might attack Plaintiff. A rational juror could agree but would not be compelled to do so on this record. Additionally, Defendants' motion is based on an Eighth Amendment deliberate indifference standard, which has been supplanted by the objectively unreasonable standard for Fourteenth Amendment claims such as this one. Defendants' motion for summary judgment is denied.

Dennis v. Davis, 19-4147 - This may be a good case to gain trial experience. The plaintiff alleges that an officer working in Lincoln Correctional Center conducted two strip searches of the plaintiff for no legitimate reason and in a sexually suggestive manner. The plaintiff also alleges that the same officer retaliated against the plaintiff for the plaintiff's complaints about the strip search. The officer is the only defendant. The plaintiff is currently incarcerated in East Moline Correctional Center. Discovery is closed, and a jury trial is currently set for February 15, 2022.

Valdez v. Wexford, et al., 20-4216 - This case was filed by a resident of the Rushville Treatment and Detention Center. Plaintiff alleges that Defendants have failed to treat Plaintiff's debilitating back pain. He alleges in his first amended complaint that he "has been in constant pain, at time extreme, blinding pain and inability to move, is again confined to a wheel chair for anything other than short walks of a few feet, and can't lay down and sleep for any extended period of time." The case is in the process of discovery.