

**United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 6,1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:04-cv-00908**

Morales, et al v. Adams, et al
Assigned to: Honorable James B. Zagel
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 02/05/2004
Date Terminated: 02/10/2010
Jury Demand: None
Nature of Suit: 555 Civil Rights (Prison Condition)
Jurisdiction: Federal Question

Plaintiff

Alex Morales

represented by **Alex Morales**
#695627
Rushville – DHS
R.R. #1, Box 6A
Rushville, IL 62681
PRO SE

Notices to Prisoner Correspondence

Email: Prison1_ILND@ilnd.uscourts.gov
ATTORNEY TO BE NOTICED

V.

Defendant

Carol Adams

represented by **General Counsel**
Illinois Department of Human Services
100 West Randolph
6th Floor
Chicago, IL 60601
312-814-2752
ATTORNEY TO BE NOTICED

Defendant

Timothy Budz

represented by **Shirley Ruth Calloway**
Illinois Attorney General's Office
100 West Randolph Street
13th Floor
Chicago, IL 60601
(312)814-5581
Email: scalloway@atg.state.il.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

General Counsel
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Liberty Behavioral Health Corp.

represented by **James Constantine Vlahakis**
Hinshaw & Culbertson
222 North LaSalle Street
Suite 300
Chicago, IL 60601-1081
(312) 704-3000
Email: jvlahakis@hinshawlaw.com
LEAD ATTORNEY
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General Counsel
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Defendant**Raymond Wood**

represented by **James Constantine Vlahakis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

General Counsel
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Shan Jumper**

represented by **James Constantine Vlahakis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

General Counsel
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Robert Brucker**

represented by **James Constantine Vlahakis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

General Counsel
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**James Haage**

represented by **General Counsel**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Mr Porter****Defendant****Unknown Others**

Date Filed	#	Docket Text
02/05/2004	<u>1</u>	RECEIVED COMPLAINT with 8 copies. (gcy) . Modified on 8/20/2014 (ym,). (Entered: 02/06/2004)
02/05/2004	<u>2</u>	CIVIL cover sheet. (gcy) . Modified on 8/20/2014 (ym,). (Entered: 02/06/2004)
02/05/2004	<u>3</u>	APPLICATION by Alex Morales to proceed in forma pauperis an affidavit. (gcy). Modified on 8/20/2014 (ym,). (Entered: 02/06/2004)
02/06/2004		FORWARDED entire case file to Prisoner Correspondence. (gcy) (Entered: 02/06/2004)
02/10/2004	<u>4</u>	MINUTE ORDER of 2/10/04 by Hon. James B. Zagel : The plaintiff's motion to proceed in forma pauperis is denied [3-1], without prejudice. The plaintiff is

		granted thirty days in which either to file a renewed application to proceed in forma pauperis or to submit the \$150 statutory filing fee. Any application to proceed in forma pauperis must certified by a D.H.S. official and must include a trust fund account showing the plaintiff's current balance and transactions for the past six months. Failure to comply with these directives by 03/10/04, will result in denial of leave to proceed in forma pauperis and summary dismissal of this case. The Clerk is directed to provide the plaintiff with a blank i.f.p. petition along with a copy of this order. (See reverse of minute order.) Mailed notice (gcy) Modified on 02/11/2004 (Entered: 02/11/2004)
02/10/2004		MAILED to Alex Morales copy of order dated 2/10/04 with blank i.f.p. petition. (gcy) (Entered: 02/11/2004)
03/23/2004	<u>5</u>	MINUTE ORDER of 3/23/04 by Hon. James B. Zagel : By order of 02/10/04, the court ordered plaintiff to file a renewed application to proceed in forma pauperis and have the form certified by D.H.S. official and include a trust fund account or to pay the \$150.00 filing fee. Plaintiff has failed to comply with the 02/10/04, order. Accordingly, this action is dismissed without prejudice pursuant to Fed.R.Civ.P.41(b). The case is terminated. terminating case. Mailed notice (gcy) . Modified on 8/20/2014 (ym,). (Entered: 03/24/2004)
04/07/2004	<u>6</u>	APPLICATION by plaintiff to proceed in forma pauperis (Attachment) (aew) (Entered: 04/07/2004)
04/07/2004	<u>7</u>	LETTER from plaintiff regarding IFP application (aew) (Entered: 04/07/2004)
05/17/2004	<u>8</u>	MINUTE ORDER of 5/17/04 by Hon. James B. Zagel : Plaintiff's motion for leave to file in forma pauperis [6-1] is denied. Plaintiff is directed to pay a partial filing fee of \$14.50 within 30 days of the date of this order if he wants this case to be reopened. If he does not pay the partial filing fee this case will remain closed. (See reverse of minute order.) Mailed notice (gcy) (Entered: 05/18/2004)
06/04/2004		INMATE installment payment in the amount of \$ 14.50 paid on 6/4/04, receipt # 1092858. (gcy) (Entered: 06/09/2004)
07/08/2004	<u>9</u>	MINUTE ORDER of 7/8/04 by Hon. James B. Zagel : On June 4, 2004, plaintiff paid the partial filing fee as ordered by the court in its 5/17/04, order. The clerk is accordingly ordered to reopen this case. Case reopened. Pursuant to Rule 4(c)(2) of the Federal Rule of Civil Procedure, the court orders the United States Marshal to effect sevice in this action. Service by the Marshal is necessary in this particular action because plaintiff is a civil detainee and proceeding pro se. The clerk shall issue summonses and send plaintiff a Notice of Availability of a Magistrate Judge, Instructions for Submitting Documents, and a copy of this order. (See reverse of minute order.) Mailed notice (gcy) Modified on 07/09/2004 (Entered: 07/09/2004)
07/08/2004		COMPLAINT. (gcy) (Entered: 07/09/2004)
07/09/2004		SUMMONS issued 8 originals and 8 copies as to Carol Adams, Timothy Budz, Liberty Behavioral, Raymond Wood, Shan Jumper, Robert Brucker, Haage, Mr Porter with certified copies of minute order dated 7/8/04 and complaints, to U.S. Marshal for service. (gcy) Modified on 07/09/2004 (Entered: 07/09/2004)
07/09/2004		MAILED Notice of Availability and Instruction for Submitting Documents to Alex Morales. (gcy) (Entered: 07/09/2004)
08/10/2004	<u>10</u>	RETURN OF SERVICE of summons and complaint by U.S. Marshal's Office Executed on 8/2/04 as to defendants Raymond Wood, Robert Brucker, Shan Jumper, Timothy Budz, Unexecuted as to defendants Mr Porter and James Haage Jr (Attachments) (10-1 through 10-6) (rmm) . Modified on 8/20/2014 (ym,). (Entered: 08/11/2004)
09/23/2004	<u>12</u>	RULE 6(b) MOTION by defendant for leave to file appearance, answer &affirmative defenses instanter ; Notice. (gcy) (Entered: 10/07/2004)
09/23/2004	<u>13</u>	MINUTE ORDER of 9/23/04 by Hon. James B. Zagel : Defendants motion to appear and file answer instanter is granted [12-1]. Telephoned notice (gcy) (Entered: 10/07/2004)

09/23/2004	<u>18</u>	ATTORNEY APPEARANCE for Timothy Budz by Shirley R. Calloway (gcy) (Entered: 11/01/2004)
09/23/2004	<u>19</u>	ANSWER by Timothy Budz to complaint. (gcy) Modified on 11/02/2004 (Entered: 11/01/2004)
10/05/2004	<u>11</u>	MINUTE ORDER of 10/5/04 by Hon. James B. Zagel : The Clerk is directed to issue alias summonses to Mr. Porter and James haage, Jr., and the U.S. Marshal is directed to make all reasonable efforts to serve them. The Department of Human Services at Joliet is orderd to furnish the Marshal with Porter and Haage's last known addresses. The information shall be used only for purposes of effectuating service and any doucmentation of the addresses shall be retained only by the Marshal. Address information shall not be maintained in the court file nor disclosed by the Marshal. Mailed notice (gcy) (Entered: 10/06/2004)
10/06/2004		ALIAS SUMMONS issued 2 original and 2 copies as to Mr. Porter and James Haage, Jr., with 2 certified copies of order and copies of complaint to U.S. Marshal for service. (gcy) (Entered: 10/06/2004)
10/19/2004	<u>14</u>	RETURN OF SERVICE by U.S. Marshals executed as to defendant Carol Adams on 07/20/04. (ntf) . Modified on 8/21/2014 (ym,). (Entered: 10/21/2004)
10/19/2004	<u>16</u>	RETURN OF SERVICE of summons and complaint served on as to defendant Liberty HealthCare Corp., by cerrified mail, Receipt #7002-2410-0002-2953-3185 (Green Return Receipt Attached).., mailed on 07/20/04. Waiver not returned to U.S. Marshal's Service as of 10/19/04. (gl) . Modified on 8/21/2014 (ym,). (Entered: 10/22/2004)
10/21/2004	<u>15</u>	MOTION by plaintiff for appointment of counsel ; Notice. (gcy) . Modified on 8/20/2014 (ym,). (Entered: 10/22/2004)
10/26/2004	<u>17</u>	MINUTE ORDER of 10/26/04 by Hon. James B. Zagel : Plaintiff's motion for appointment of counsel is denied [15-1]. (See reverse of minute order.) Mailed notice (gcy) (Entered: 10/27/2004)
11/17/2004	<u>20</u>	RETURN OF SERVICE unexecuted as to defendant James Haage. (gcy) (Entered: 11/18/2004)
12/13/2004	<u>21</u>	ATTORNEY APPEARANCE for defendants Liberty Behavioral, Raymond Wood, Shan Jumper, Robert Brucker by James Constantine Vlahakis (hp) (Entered: 12/15/2004)
12/13/2004		MOTION by defendants Raymond Wood, Shan Jumper to reassign , consolidate and stay case no. 04 C 6307 based upon relatedness to Hargett V. Adams, 02 C 1456 (Attachments); Notice (Original in 02 C 1456). (hp) (Entered: 12/23/2004)
12/13/2004		MOTION by defendants Liberty Behavioral, Raymond Wood, Shan Jumper, Robert Brucker to reassign , consolidate and stay case No. 04 C 908 based upon relatedness to Hargett v. Adams, 02 C 1456 (Attachments)(Original in 02 C 1456). Notice. (hp) (Entered: 12/28/2004)
12/30/2004	<u>22</u>	REASSIGNMENT ORDER of 12/30/04 Case related 1:02-cv-1456 with member cases 1:04-cv-908 . This case is reassigned to the Hon. Harry D. Leinenweber in accordance with the provisions of Local Rule 40.4 Mailed notice (gcy) (Entered: 01/03/2005)
03/24/2005	<u>23</u>	U.S. MARSHAL SUMMONS Returned Unexecuted by Alex Morales. (gcy,) (Entered: 03/28/2005)
06/06/2005	<u>25</u>	MINUTE entry before Judge James B. Zagel : Defendants Liberty Behavioral, Raymond Wood, Shan Jumper, Robert Bruckner's motion to reassign case, consolidate and stay case No. 04 C 908 based upon relatedness to Hargett v. Adams, 02 C 1456 nun pro tunc December 30, 2004. Mailed notices. (gcy,) (Entered: 06/09/2005)
06/07/2005	<u>24</u>	MINUTE entry before Judge Harry D. Leinenweber : Plaintiff has not served defendants James Haage, Jr., and Mr. Porter within 120 days of the filing of the complaint on July 8, 2004. Plaintiff is accordingly given 30 days to show good cause why such service was not made. If plaintiff does not show good cause or

		otherwise respond to this order within 30 days, defendants James Haage, Jr., and Mr. Porter will be dismissed from this action, pursuant to Fed.R.Civ.P. 4(m). Mailed notices (gcy,) (Entered: 06/08/2005)
06/30/2005	<u>26</u>	EXECUTIVE COMMITTEE ORDER: Case reassigned to Judge James B. Zagel for all further proceedings. . Signed by Judge Charles P. Kocoras on 6/30/05. (gcy,) (Entered: 07/08/2005)
07/07/2005	<u>27</u>	RESPONSE by Plaintiff to order to show cause. (Exhibits). (gcy,) (Entered: 07/11/2005)
02/06/2007	<u>28</u>	MINUTE entry before Judge James B. Zagel : Status hearing set for 3/8/2007 at 10:00 AM.Mailed notice (drw,) (Entered: 02/06/2007)
03/08/2007	<u>29</u>	MINUTE entry before Judge James B. Zagel :Status hearing held on 3/8/2007. Status hearing set for 4/12/2007 at 10:00 AM.Mailed notice (drw,) (Entered: 03/19/2007)
04/12/2007	<u>30</u>	MINUTE entry before Judge James B. Zagel : Status hearing reset for 5/3/2007 at 10:00 AM. Written status report due by 5/1/2007.Mailed notice (drw,) (Entered: 04/12/2007)
05/03/2007	<u>31</u>	MINUTE entry before Judge James B. Zagel :Status hearing held on 5/3/2007. Plaintiff to respond to written submissions by 5/31/2007. Reply due 6/14/2007. Written status report due 7/12/2007.Mailed notice (drw,) (Entered: 05/23/2007)
06/18/2007	<u>32</u>	STATUS Report of <i>Similarly Situated Claims Pending In This District And The Impact Of The Hargett v. Adams Class Action</i> by Liberty Behavioral Health Corp., Raymond Wood, Shan Jumper, Robert Brucker (Attachments: # <u>1</u> Appendix of Exhibits# <u>2</u> Exhibit 1 – 4# <u>3</u> Exhibit A# <u>4</u> Exhibit B# <u>5</u> Exhibit C# <u>6</u> Exhibit D# <u>7</u> Exhibit E# <u>8</u> Exhibit F# <u>9</u> Exhibit G# <u>10</u> Exhibit H – K# <u>11</u> Exhibit L – N)(Vlahakis, James) (Entered: 06/18/2007)
12/23/2009	<u>33</u>	MINUTE entry before Honorable James B. Zagel: Status hearing set for 1/8/2010 at 10:00 AM. There has been no action taken in this case in over 2 years. The Plaintiff is directed to give notice to the court within 14 days of whether he is interested in pursuing this cause of action. Defendants are directed to submit a status report to the court within 14 days.Mailed notice (drw,) (Entered: 12/23/2009)
01/07/2010	<u>34</u>	MINUTE entry before Honorable James B. Zagel: There has been no action taken in this case in over 2 years. The Plaintiff is directed to give notice to the court within 14 days of whether he is interested in pursuing this cause of action. Status hearing (1–8–2010) is reset for 2/10/2010 at 10:00 AM.Mailed notice (drw,) (Entered: 01/07/2010)
02/10/2010	<u>35</u>	MINUTE entry before Honorable James B. Zagel:Status hearing held on 2/10/2010. Case is dismissed for want of prosecution. Civil case terminated. Mailed notice (drw,) (Entered: 02/18/2010)