

1992 WL 159484

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United States District Court, N.D. Illinois, Eastern
Division.

Willie WILLIAMS, Plaintiff,
v.
Michael LANE, et al., Defendants.

No. 81 C 355. | June 26, 1992.

Opinion

MEMORANDUM ORDER

SHADUR, District Judge.

*1 This Court has become aware of the tendering of at least two filings labeled “Petition for Contempt of Court” or by some comparable caption, in which individual inmates at Stateville Correctional Center (“Stateville”) are asserting noncompliance with the injunctive relief previously granted by this Court and are consequently seeking the imposition of “fines” against defendants. In each instance, however, the inmate is asking that the fine

be paid directly to him.¹

Fines for contempt of court, if and when appropriate, normally go into the court’s coffers rather than being paid to individual litigants. Indeed, that is really the essence of the concept of a fine—whether imposed for civil or criminal contempt. Because what the inmates here are seeking is money recoveries for themselves, this Court determines—in accordance with the liberal construction to be afforded to prisoners’ pleadings under *Haines v. Kerner*, 404 U.S. 519, 520–21 (1972) (per curiam)—that the pleadings should instead be viewed as complaints asserting claims for damages under 42 U.S.C. § 1983 (“Section 1983”).²

Accordingly the Clerk of this District Court is directed to treat the already-received pleadings, as well as any such pleadings that may be received in the future, as Section 1983 complaints, assigning a separate case number to each. To the extent that in forma pauperis status is sought by the respective inmates, those requests should be treated in precisely the same manner as any other such request. If no filing fee or in forma pauperis request has accompanied or hereafter accompanies any such filing, the Clerk is ordered to provide the inmate involved with the appropriate forms in that respect.

Footnotes

- ¹ It looks as though such filings may well be the wave of the future, given the way in which the prison grapevine works—coupled with the presence of jailhouse lawyers at Stateville.
- ² This Court of course neither makes nor implies any ruling as to the legal sufficiency of the tendered pleadings as Section 1983 complaints. That is a matter for determination by the judge or judges to whom the respective cases will be assigned.