

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

SY-BRON L. PINKSTON,

Plaintiff,

v.

DAVID GLADIEUX, et al.,

Defendants.

CAUSE NO.: 1:19-CV-358-WCL-SLC

OPINION AND ORDER

Sy-Bron L. Pinkston, a prisoner without a lawyer, filed a motion (ECF 14) seeking to amend his complaint. The proposed amended complaint alleges essentially the same facts as his original complaint, but it amends the dates when the events occurred to reflect that they occurred in July of 2017, not August of 2017. In the interests of justice, the motion will be granted, and the clerk will be instructed to file the amended complaint.

For these reasons and the reasons stated in this court's September 9, 2019, order (ECF 7), the court:

- (1) GRANTS the motion to amend the complaint (ECF 14);
- (2) DIRECTS the Clerk to file Sy-Bron L. Pinkston's amended complaint (ECF 14 at 2-8);
- (3) GRANTS Sy-Bron L. Pinkston leave to proceed against Sgt. Scott Sanderson and Correctional Officer Joshua Garamater in their individual capacities for

compensatory and punitive damages for using excessive force against him when they attacked Pinkston on July 17, 2017, in violation of the Eighth Amendment;

(3) DISMISSES Sheriff David Gladieux, Jail Commander Alan Cook, and Disciplinary Correction Officer Penny Lake;

(4) DISMISSES all other claims; and

(5) ORDERS, pursuant to 42 U.S.C. § 1997e(g)(2), that Sgt. Scott Sanderson and Correction Officer Joshua Garamater respond, as provided for in the Federal Rules of Civil Procedure and N.D. Ind. L.R. 10-1(b), only to the claims for which the plaintiff has been granted leave to proceed in this screening order, by **November 21, 2019**.

SO ORDERED on November 1, 2019.

s/William C. Lee

JUDGE WILLIAM C. LEE
UNITED STATES DISTRICT COURT