

complaint must include sufficient facts to afford the defendants fair notice of the claims and the grounds upon which they are based and to demonstrate a right to relief. *Bell Atlantic v. Twombly*, 550 U.S. 544, 127 S. Ct. 1955, 1964-65 (2007)).

Conclusory allegations are not sufficient. *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009). The plaintiff must plead “enough facts to state a claim to relief that is plausible on its face.” *Twombly*, 550 U.S. at 570. But “[a] document filed *pro se* is to be liberally construed and a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.” *Boykin v. KeyCorp*, 521 F.3d 202, 214 (2d Cir. 2008) (quoting *Erickson v. Pardus*, 127 S. Ct. 2197, 2200 (2007)).

The plaintiff suffers from an enlarged heart. He alleges that on December 6, 2011, defendants Write and Vicki checked the plaintiff’s vital signs in response to his complaints of dizziness, headaches, blurred vision and left-side numbness and determined that he should be take to the medical unit for examination. The plaintiff was transported to the medical unit by wheelchair. Defendant Vicki told defendants Pafumi and Napp that the plaintiff was faking his illness. The plaintiff did not immediately get up when ordered to prepare to return to his housing unit. With defendant Napp’s approval, defendant Pafumi sprayed the plaintiff with excessive amounts of a chemical agent. Defendants Vicki and Write did not intercede to prevent the excessive use of the chemical agent.

The court concludes that the case should proceed at this time.

ORDERS

The Court enters the following orders:

(1) The Pro Se Prisoner Litigation Office shall verify the current work addresses for each defendant with the Department of Correction Office of Legal Affairs. If no Captain Napp or Dr. Write are identified, the Pro Se Prisoner Litigation Office shall check for a Captain Knapp and Dr. Wright. The Pro Se Prisoner Litigation Officer shall mail waiver of service of process request packets to each defendant at the confirmed addresses within fourteen (14) days of this Order. The Pro Se Prisoner Litigation Office shall report to the court on the status of those waiver requests on the thirty-fifth (35) day after mailing. If any defendant fails to return the waiver request, the Pro Se Prisoner Litigation Office shall make arrangements for in-person service by the U.S. Marshals Service on the defendant in his or her individual capacity and the defendant shall be required to pay the costs of such service in accordance with Federal Rule of Civil Procedure 4(d).

(2) The Pro Se Prisoner Litigation Office shall send a courtesy copy of the Complaint and this Ruling and Order to the Connecticut Attorney General and the Department of Correction Office of Legal Affairs.

(3) The Pro Se Prisoner Litigation Office shall send written notice to the plaintiff of the status of this action, along with a copy of this Order.

(4) The defendants shall file their response to the complaint, either an answer or motion to dismiss, within seventy (70) days from the date of this order.

