

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

<p>HJALMAR RODRIGUEZ,</p>)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:15-CV-2(MTT)
)	
Warden BRUCE CHATMAN, et al.,)	
)	
)	
Defendants.)	
)	

ORDER

This case arises from the Plaintiff’s claims that his First Amendment, Eighth Amendment, and Fourteenth Amendment rights have been violated in multiple ways during his confinement. *See generally* Doc. 133-1. The case is one of eleven that has been filed by inmates in Tier III of the Special Management Unit of Georgia Diagnostic and Classification Prison in Jackson, Georgia. *See, e.g.*, Doc. 147 at 1. Because “[e]ach case presents similar claims and fact patterns alleging constitutional violations of Eighth and Fourteenth Amendment rights,” the Magistrate Judge has consolidated discovery in the cases and has stayed discovery in all except one of the cases. *See, e.g., id.* at 1-2.

However, this case also contains unrelated claims. The Court has ordered some of those claims to proceed. Doc. 183. In order to facilitate the orderly resolution of the cases and to ensure justice for all parties, the Court **SEVERES** those unrelated claims. *See* Fed. R. Civ. P. 21 (“On motion or on its own, the court may at any time, on just terms, add or drop a party. The court may also sever any claim against a party.”); Fed.

R. Civ. P. 42(b) (“For convenience, to avoid prejudice, or to expedite and economize, the court may order a separate trial of one or more separate issues, claims, crossclaims, counterclaims, or third-party claims.”). The Clerk of Court is hereby **DIRECTED** to open a new action for the following claims against the following Defendants: Eighth Amendment excessive force against Defendant Clupper; First Amendment retaliation against Defendants Clupper, Kyles, Powell, and Logan; and Eighth Amendment deliberate indifference to medical needs against Defendant Burnside. The Plaintiff’s Fourteenth Amendment Due Process claims against Defendants Bishop, Chatman, Humphrey, Logan, McMillian, and Powell will remain in 5:15-cv-2. Defendants Clupper, Kyles, and Burnside should be terminated from 5:15-cv-2.

The Defendants shall file such responsive pleadings as may be appropriate under the Federal Rules of Civil Procedure and the Prison Litigation Reform Act. The Court calls the attention of the parties to the discovery schedule set forth in Judge Weigle’s Order and Recommendation (Doc. 12), attached.

SO ORDERED, this 6th day of October, 2017.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT