

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS

JAMES D. BAIN,  
Plaintiff,

vs.

No. 11-1191

ILLINOIS RIVER CORRECTIONAL CENTER,  
Defendant

CASE MANAGEMENT ORDER

On May 23, 2011, the pro Plaintiff sent a letter to the court stating that he is not receiving proper medical care at the Illinois River Correctional Center. The Plaintiff says he has stomach problems, and makes repeated trips to the Health Care Unit. The Plaintiff says he has been diagnosed with Irritable Bowel Syndrome and has received medication, but he believes the problem is the extensive soy diet within the Illinois Department of Corrections. The Plaintiff asked for the court's help.

The court has no jurisdiction to intervene in the operations of the Illinois Department of Corrections. Therefore, the Plaintiff's letter was filed as a complaint. The Plaintiff was advised that he must either pay the \$350 filing fee or file a motion to proceed *in forma pauperis*. May 23, 2011 text order. The clerk of the court sent the Plaintiff the proper forms if he wished to file a motion. The Plaintiff was advised that if he did not pay the fee or file a motion within 21 days, or by June 13, 2011, his case would be dismissed. *Id.* The case was also set for a merit review hearing.

The deadline has come and gone and the Plaintiff has taken no further action. It appears the Plaintiff did not intend to file a lawsuit. Therefore, the court will dismiss this action and will not require a filing fee. However, the Plaintiff is advised that any future letters sent to the court complaining about conditions and Defendants at an Illinois Department of Corrections facility will also be interpreted as a complaint and the court will not waive the filing fee.

**IT IS THEREFORE ORDERED that:**

- 1) The merit review hearing scheduled for July 21, 2011 is canceled.**
- 2) This case is dismissed in its entirety without prejudice. The court will not assess a filing fee because the pro se Plaintiff did not intend to open a lawsuit.**

Entered this 8<sup>th</sup> day of July, 2011.

**s/James E. Shadid**

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JAMES E. SHADID  
UNITED STATES DISTRICT JUDGE