

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION

MICHAEL LEWIS and)	
ROBERT TURNER,)	
)	
Plaintiffs,)	
)	
v.)	11-CV-3088
)	
ALFREDA KIBBY, et al.,)	
)	
Defendants.)	

OPINION

SUE E. MYERSCOUGH, U.S. District Judge:

Three Plaintiffs, insulin-dependent diabetics detained in the Rushville Treatment and Detention Center, filed this case to challenge the timing of their insulin administration and their alleged inadequate exercise opportunities. In particular, Plaintiffs alleged that their blood sugars were checked more than two hours before the administration of their morning insulin, allegedly too long of a delay to determine the appropriate amount of insulin to administer. They also contend that they were required to have their insulin administered in the health care unit at the same time breakfast was served on their housing unit, which at times resulted in them not receiving breakfast or not receiving their full breakfast.

Defendants filed a motion for summary judgment on June 29, 2012. Shortly

thereafter, Plaintiff Smego voluntarily dismissed his claims pursuant to a stipulation of dismissal. Plaintiff Robert Turner has not filed a response to the summary judgment motion nor asked for an extension. That leaves Plaintiff Lewis, who was given an extension to December 21, 2012, to respond to the summary judgment motion. However, Plaintiff Lewis has still not filed a response.

Defendants' undisputed facts (d/e 66, pp. 2-4) and the affidavit filed by Dr. Bednarz (d/e 77-1), the facility's Medical Director, show that the procedures for administering morning insulin are not and have not been deliberately indifferent to Plaintiffs' serious medical needs. The prior procedures involved a 5:00 a.m. blood sugar check, which was inconvenient for Plaintiffs because insulin was not administered until 6:40 a.m., about twenty minutes before breakfast. However, Plaintiffs have no evidence that this timing was medically inappropriate or that they suffered any ill effects.

Now the blood sugar checks occur between 6:00 and 6:40 a.m., with the insulin administered immediately. The procedures have also been updated to provide the residents a snack after the administration of the morning insulin. Plaintiffs do not appear to challenge the current procedure.

In short, Plaintiffs offer no evidence that the prior insulin administration procedures put their health in any peril. In any event, Dr. Bednarz' affidavit makes

