

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

DERRICK SHAW,	)	
	)	
Plaintiff,	)	
	)	
v.	)	11-CV-3366
	)	
STATE OF ILLINOIS, et al.,	)	
	)	
Defendants.	)	

OPINION

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

Plaintiff pursues a claim for deliberate indifference to his need for a soy-free diet. Defendant Michael Puisis has moved for summary judgment on statute of limitations grounds. Defendant Puisis was the IDOC Agency Medical Director from May 2008 to April 2009. Since May 15, 2009, Puisis has been working as the Medical Director at Cook County Jail. Defendant Shicker is the current IDOC Agency Medical Director and has replaced Defendant Puisis in Puisis' official capacity. Accordingly, Defendant Puisis remains as a Defendant only in his

individual capacity.

The statute of limitations for claims under 42 U.S.C. § 1983 is two years. Ray v. Maher, 662 F.3d 770 (7<sup>th</sup> Cir. 2011)(applying Illinois law).

Plaintiff filed this case in September 2011, more than two years after Defendant Puisis left his post as IDOC Agency Medical Director.

Plaintiff does “not dispute the fact about Dr. Michael Puisis. He should be tak[en] off Shaw v. Anglin, et al. case no 11-3366 with all do [sic] respect.” (Plaintiff’s Response to Puisis’ Mot. for Sum. Judgment, d/e 41, p. 1). Accordingly, the motion for summary judgment by Defendant Puisis will be granted.

Plaintiff’s response also addresses the merits of his claims against the remaining Defendants, but those issues are not presently before the Court. Plaintiff may restate his arguments in response to the pending motions for summary judgment by the remaining defendants.

IT IS THEREFORE ORDERED:

1. The motion for summary judgment by Defendant Puisis is granted (d/e 37). Plaintiff’s claims against Defendant Puisis are dismissed

as barred by the statute of limitations. The clerk is directed to terminate Defendant Puisis.

2. Plaintiff's responses to the other pending motions for summary judgment are due December 3, 2012.

ENTERED: November 13, 2012

FOR THE COURT:

s/Sue E. Myerscough  
SUE E. MYERSCOUGH  
UNITED STATES DISTRICT JUDGE