

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Allen Neely Caffey, Plaintiff,)	
)	No. 05 C 6803
)	
v.)	Magistrate Judge Geraldine Soat Brown
)	
Roger E. Walker, Jr., et al., Defendants.)	
)	

ORDER

Plaintiff's motion for a status hearing [201] is granted. For the reasons stated in this order, the court has no jurisdiction to consider the Plaintiff's motion regarding breach of the settlement agreement in this case. [194.] This action is terminated.

STATEMENT

In December 9, 2008, plaintiff Allen Caffey, an Illinois state prisoner, reached a binding settlement agreement with the defendants in this civil-rights action. [Dkt 127.] The parties also jointly consented to the jurisdiction of the Magistrate Judge. [Dkt 129.] On Caffey's motion, the case was dismissed with prejudice on July 15, 2010. [Dkt 166.] In 2013, Caffey filed a document entitled "Breach of Settlement Agreement" alleging that prison staff had breached the settlement agreement by disciplining him without cause and removing him from his prison job. [Dkt 194.] Caffey later requested a status hearing in regard to that filing. [Dkt 201.]

At a status hearing on May 21, 2014, Caffey acknowledged that some of the issues raised in his motion relate to his claims in separate litigation alleging civil-rights violations. *See Caffey v. Best*, No. 3:13-cv-3296-SEM-TSH (C.D. Ill.); *Caffey v. Best*, No. 3:13-cv-00457-GPM (S.D. Ill.); *Caffey v. Henry*, No. 3:13-cv-00322-NJR-DGW (S.D. Ill.). Further, the court explained to Caffey that it no longer has jurisdiction over claims for breach of the settlement agreement since

the case has been dismissed with prejudice; Caffey's claim for breach of the settlement agreement may be the basis of a new suit for breach of contract, but it is not a claim for this case. *See Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 378 (1994); *Dupuy v. McEwen*, 495 F.3d 807, 809 (7th Cir. 2007); *Lynch, Inc. v. SamataMason Inc.*, 279 F.3d 487, 489 (7th Cir. 2002).

Accordingly, although Caffey's request for a status hearing has been granted, the court has no jurisdiction over his claim of breach of the settlement agreement. This action is terminated.

/s/ Geraldine Soat Brown
United States Magistrate Judge

May 21, 2014