

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Rebecca R. Pallmeyer <i>RRP</i>	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	10 C 7203	DATE	12/1/2010
CASE TITLE	Craig Sanders (#2010-0226002) v. Salemi, et al.		

DOCKET ENTRY TEXT:

The court grants Plaintiff's motion for leave to file *in forma pauperis* [3] and waives the initial partial filing fee. The trust fund account officer at Plaintiff's place of confinement is authorized to make deductions from Plaintiff's trust fund account in accordance with this order. Plaintiff's complaint is dismissed without prejudice to Plaintiff submitting an amended complaint within 30 days of the date of this order. The clerk is directed to send to Plaintiff an amended civil rights complaint form, along with a copy of this order. Plaintiff's failure to comply with this order will result in dismissal of this case. Plaintiff's motion for the appointment of counsel [4] is denied without prejudice.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Plaintiff Craig Sanders (#2010-0226002), currently incarcerated at Cook County Jail, has filed this 42 U.S.C. § 1983 action against Cook County Jail Officers Salemi, Davis, Marzec, Perry, and McCoullan. Plaintiff alleges that some of the defendants denied him his breakfast during Ramadan, that other defendants denied him dinner on other occasions, and that he was denied his legal mail.

Plaintiff's application to proceed *in forma pauperis* indicates that he is unable to prepay the \$350 filing fee or an initial partial filing fee. The court grants his motion to proceed *in forma pauperis* and waives the initial partial filing fee. See 28 U.S.C. § 1915(b)(4). The supervisor of inmate trust accounts at Plaintiff's place of confinement is authorized to collect monthly payments from Plaintiff's trust account in an amount equal to 20% of the preceding month's income credited to the account until the filing fee is paid. Payments collected from Plaintiff's trust fund account shall be forwarded to the clerk of court each time the amount in the account exceeds \$10 until the full \$350 filing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, IL 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify Plaintiff's name and the case number assigned to this action. Plaintiff shall remain responsible for the filing fee, and Cook County Jail authorities shall notify transferee authorities of any outstanding balance in the event he is transferred to another facility.

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STATEMENT

Although Plaintiff may proceed *in forma pauperis*, his complaint cannot proceed as currently drafted. Plaintiff's complaint alleges several unrelated claims against different Defendants: he appears to be challenging the denial of breakfast twice during Ramadan, the denial of dinner on other occasions, and the denial of his legal mail. As explained in *George v. Smith*, 507 F.3d 605, 607-08 (7th Cir. 2007), "[u]nrelated claims against different defendants belong in different suits.

To proceed with this case, Plaintiff must submit an amended complaint that asserts only related claims and that states a valid civil rights claim. (The court cautions that missing a few meals may not support a civil rights claim; see *Curiel v. Stigler*, No. 06 C 5880, 2008 WL 904894, *5 (N.D. Ill. Mar.31, 2008) (Zagel, J.)) Plaintiff is given 30 days from the date of this order to submit an amended complaint. Plaintiff is advised that because an amended complaint replaces any previously-filed complaint, he should present in his amended complaint all the claims he seeks to raise and name all the Defendants he seeks to sue in this case. Plaintiff must write both the case number and the judge's name on the amended complaint and return the originally filled out and signed form and a copy for the judge and a service copy for each named Defendant to the Prisoner Correspondent. Plaintiff is advised to keep a copy for his files. Plaintiff may request additional copies of an amended complaint form if needed to provide the court with a sufficient number of copies. Failure to comply with this order will result in dismissal of this case without prejudice.

Plaintiff's motion for the appointment of counsel is denied without prejudice. The case at the present time does not involve complex discovery or an evidentiary hearing, and Plaintiff's current pleadings indicate that he may proceed *pro se* with his case at this stage of the proceedings. Accordingly, the court denies without prejudice his motion for the appointment of counsel. *Pruitt v. Mote*, 503 F.3d 647, 656-59 (7th Cir. 2007).

