

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

STAR MRDAK, etc.,)	
)	
Plaintiff,)	
)	
v.)	No. 11 C 1745
)	
KUL BIR SOOD, M.D., et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Star Mrdak ("Mrdak"), suing as next friend of Joseph Schaefer ("Schaefer"), has sued several doctors and health care service corporations under the claimed auspices of 42 U.S.C. §1983 ("Section 1983"). This memorandum order is issued sua sponte to address a problematic--and critical--aspect of Mrdak's Complaint.

It is not at all clear that all (or perhaps even any) of the defendants are "state actors" suable under Section 1983.¹ Although for example Dr. Kul Bir Sood is characterized as "the Medical Director of the Will County Jail" (Complaint ¶2), other allegations suggest that the corporate defendants "contract[] to provide healthcare services and management" at prisons and jails in Illinois (see the Complaint's Jurisdictional Statement) and that Dr. Sood is an employee of one of the corporations (Complaint ¶4) rather than of the State of Illinois.

¹ If such is not the case, federal subject matter jurisdiction is absent (diversity of citizenship is not present).

It is accordingly unclear whether this Court has subject matter jurisdiction, and Mrdak's counsel is ordered to tender a written submission on the subject on or before March 28, 2011. In the meantime, to avoid any untoward delay if Mrdak's counsel is able to provide an adequate showing on that score, this Court is contemporaneously issuing its customary initial scheduling order.



Milton I. Shadur
Senior United States District Judge

Date: March 15, 2011