

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

<b>CHRISTOPHER HICKS,</b>	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 13 C 989
	)	
<b>JANE DOE and JOHN DOE, as-yet</b>	)	
Unknown Current or Former Illinois	)	
Department of Children and Family	)	
Services Employees,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

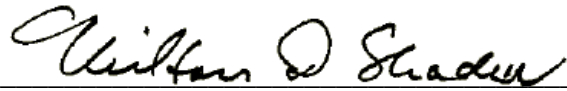
This Court has just received via random assignment the Complaint filed by Christopher Hicks ("Hicks") in which he designates "as-yet Unknown Current or Former Illinois Department of Children and Family Services ['DCFS'] Employees" as defendants to allegations that invoke 42 U.S.C. § 1983 ("Section 1983") and the supplemental jurisdiction provisions of 28 U.S.C. § 1367. This memorandum order is issued sua sponte to facilitate this Court's consideration of a clearly inevitable statute of limitations issue.

Hicks' Complaint provides a truly horrifying portrayal of child abuse that he suffered in a foster home from the time of his birth until he reached his eighth birthday. As Complaint ¶ 6 states:

Now an adult, Mr. Hicks brings this action in order to seek justice against the adults who knowingly put him in harm's way, and who so flagrantly violated their responsibility to provide for his safety. Mr. Hicks files this lawsuit to bring his story to light in hopes of preventing other such tragedies from occurring.

But it is a gross understatement to say merely that Hicks is "[n]ow an adult," an assertion

that under appropriate circumstances could bring into play the limitations-tolling principles that apply during a person's minority -- after all, Complaint ¶ 10 says that Hicks is now age 39, so that fully three decades have elapsed since the asserted<sup>1</sup> abuse came to an end. Because of the obvious likelihood of the advancement of a statute of limitations affirmative defense by defense counsel, Hicks' counsel are ordered to file a statement on or before February 22, 2013 setting out their position on that issue. In the meantime this Court is contemporaneously issuing its customary order that establishes an initial status hearing and provides for procedures to be followed before that date.<sup>2</sup>



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Milton I. Shadur  
Senior United States District Judge

Date: February 11, 2013

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<sup>1</sup> This qualifying adjective is included solely because at this threshold stage this Court cannot make factual findings. Of course this Court has no reason to question Hick's allegations, and they are certainly accepted as true for present purposes.

<sup>2</sup> In that respect it is understood that because the defendants are presently unknown (they are designated as "Jane Doe" and "John Doe"), it will necessarily take some time before a good deal of the initial preparation of the case can be undertaken.