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

Alan F. Green (M-04763),)
)
 Plaintiff,)
)
 v.)
)
 Emmanuel Ibarra,)
)
 Defendant.)

Case No. 16 C 8240

Judge Charles R. Norgle

MEMORANDUM OPINION AND ORDER

Plaintiff Alan F. Green, an Illinois prisoner, alleges that Defendant Correctional Officer Emmanuel Ibarra used excessive force by yanking Green’s arm through a service window in his cell door without provocation, leaving Green with cuts and bruises. Green was found guilty of two disciplinary infractions related to those events—“assaulting any person – staff,” and “damage or misuse of property”—and was sentenced, in part, to a loss of three months’ good time credit. Defendant has moved for summary judgment pursuant to Federal Rule of Civil Procedure 56, arguing that the disciplinary findings bar Green’s claims. For the reasons stated below, Defendant’s motion is granted.

I. Northern District of Illinois Local Rule 56.1

Because Green is proceeding *pro se*, Defendant served him with a “Notice to Pro Se Litigant Opposing Motion for Summary Judgment” as required by Northern District of Illinois Local Rule 56.2. (Dkt. 46.) The notice explained how to respond to Defendant’s summary judgment motion and Rule 56.1 Statement and cautioned Green that the Court would deem Defendant’s factual contentions admitted if he failed to follow the procedures delineated in Local Rule 56.1.

Local Rule 56.1 sets out a procedure for presenting facts that are germane to a party's request for summary judgment pursuant to Fed. R. Civ. P. 56. Specifically, Local Rule 56.1(a)(3) requires the moving party to submit "a statement of material facts as to which the moving party contends there is no genuine issue and that entitle the moving party to judgment as a matter of law." *Petty v. City of Chicago*, 754 F.3d 416, 420 (7th Cir. 2014). Each paragraph of the movant's statement of facts must include "specific references to the affidavits, parts of the record, and other supporting materials relied upon to support the facts set forth in that paragraph." LR 56.1(a). The opposing party must file a response to each numbered paragraph in the moving party's statement, "including, in the case of any disagreement, specific references to the affidavits, parts of the record, and other supporting materials relied upon." LR 56.1(b)(3)(B). "All material facts set forth in the statement required of the moving party will be deemed to be admitted unless controverted by the statement of the opposing party." LR 56.1(b)(3)(C).

As contemplated by the Local Rule, Defendant filed a Local Rule 56.1(a)(3) Statement of Material Facts (Def. SOF) with his summary judgment motion. Green did not respond to Defendant's statement of facts or submit an additional statement of undisputed facts; he did, however, submit a response to the motion (Dkt. 49) and a request for production of documents (Dkt. 50), which included an affidavit and exhibits apparently in support Green's response. (Dkt. 50, pgs. 2-24.)

Although courts construe *pro se* pleadings liberally, see *Thomas v. Williams*, 822 F.3d 378, 385 (7th Cir. 2016), a plaintiff's *pro se* status does not excuse him from complying with federal and local procedural rules. See *McNeil v. United States*, 508 U.S. 106, 113 (1993) ("[W]e have never suggested that procedural rules in ordinary civil litigation should be interpreted so as to excuse mistakes by those who proceed without counsel."); *Collins v. Illinois*, 554 F.3d 693,