

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


LUTHER THOMAS FINLEY)	
(#2016-072002),)	
)	
Plaintiff,)	
)	
v.)	Case No. 16 C 9460
)	
CERMAK HOSPITAL, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

On July 24, 2017 pro se prisoner plaintiff Luther Finley("Finley") filed a puzzling set of documents under Case No. 16 C 9460, utilizing Clerk's-Office-supplied forms primarily (but not exclusively) supplied for use by prisoner plaintiffs -- a "Complaint Under the Constitution ('Bivens' Action), Title 28 Section 1331 U.S. Code" (Dkt. No. 11), an In Forma Pauperis Application ("Application," Dkt. No. 12) and a Motion for Attorney Representation ("Motion," Dkt. No. 13) -- together with a one-page handwritten "To whom this may concern" letter (Dkt. No. 10). Even apart from Finley's mistake in listing himself as the defendant rather than the plaintiff in the Complaint form, he has left the "Statement of Claim" section in that Complaint form totally blank (even though Complaint ¶ V prays for a modest \$400,000 in damages). Most importantly, Finley's current filing totally ignores the fact that his original Complaint and his asserted action in Case No. 16 C 9460 were dismissed nearly ten months ago (see Dkt. No. 6, a memorandum order issued on October 19, 2016).

Accordingly all of Finley's current filings are stricken, with the Motion dismissed on mootness grounds. And although the Application could perhaps be treated as calling for the

imposition of a \$350 filing fee under the installment plan called for by 28 U.S.C. § 1915, this Court is loath to impose that burden on the obviously confused Finley.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive style with a large initial "M".

Milton I. Shadur
Senior United States District Judge

Date: August 1, 2017