

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

ALLEN JOHNSON SR.,)
v.)
Plaintiff,)
KEVIN FRAIN, LTS Supervisor, et al.,)
Defendants.)
Case No. 17 C 2000

MEMORANDUM ORDER

This action was brought pro se by prisoner plaintiff Allen Johnson Sr. ("Johnson") in a way highly unusual for lawsuits of that genre -- Johnson paid the \$400 filing fee up front. But it then took the issuance of three sua sponte memorandum orders by this Court (respectively dated March 24, March 29 and May 10 of this year) to get Johnson to take the additional steps necessary for his action to go forward. Finally this week brought some added filings that have done the job in that respect:

1. Most of Dkt. No. 15 comprises a properly-filled-out Motion for Appointment of Counsel ("Motion") and related exhibits that identify efforts undertaken by Johnson to obtain counsel on his own (a requirement imposed by our Court of Appeals as a precondition to the consideration of such a motion at the District Court level).
2. Stapled together with those pages as part of Dkt. No. 15 is a photocopy of a letter to Johnson from the Administrative Review Board of the Illinois Department of Corrections that confirms his compliance with 42 U.S.C.

§ 1997e(a), which calls for the exhaustion of administrative remedies that Congress has established as a precondition to the bringing of an action such as Johnson's.

3. Dkt. No. 16 is Johnson's hand-printed May 18, 2017 letter apologizing for his delay in complying with the requirements identified in this Court's memorandum orders.

With that done, this Court is pleased to have obtained the name of this member of this District Court's trial bar who is designated to represent Johnson in proceeding with this action:

Dennis Michael Zitzer, Esq.
274 Lionel Road
Riverside, Illinois 60546
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E-Mail: dmzitzer@sbcglobal.net.

This Court also sets a status hearing date for 9 a.m. July 21, 2017,¹ with the above-designated counsel being expected in the interim (1) to confer with Johnson, (2) to make arrangements for the service of process on defendants by the United States Marshals Service and to consider whether (3) to leave Johnson's Complaint in place or, perhaps, (4) to consider whether a lawyer-prepared replacement pleading will better serve Johnson's interests.²



Milton I. Shadur
Senior United States District Judge

Date: May 25, 2017

¹ This Court vacates the previously set May 26, 2017 status hearing date.

² If the latter alternative applies, attorney Zitzer should take steps to ascertain the identity of the counsel who will be representing defendants and advise him or her that no pleading responsive to Johnson's self-prepared version of the Complaint should be currently prepared and filed.