

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RICHARD HINDES,

Plaintiff,

v.

BOP MEDICAL STAFF, LESLEE  
DUNCAN, PAUL HARVEY, ROBERT  
KING, PATRICK CUNNINGHAM and  
UNITED STATES OF AMERICA,

Defendants.

Case No. 14-cv-1272-JPG-DGW

consolidated with

RICHARD HINDES,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 15-cv-1373-JPG-DGW

**JUDGMENT**

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision as to some matters and a jury having rendered a decision as to others,

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of defendants Leslee Duncan (n/k/a Leslee Brooks) and Robert King and against plaintiff Richard Hindes on Hindes' *Bivens* claims for deliberate indifference to his medical needs in violation of the Eighth Amendment;

IT IS FURTHER ORDERED AND ADJUDGED that Hinde's *Bivens* claim against defendant BOP Medical Staff for deliberate indifference to his medical needs in violation of the Eighth Amendment is dismissed with prejudice; and

IT IS FURTHER ORDERED AND ADJUDGES that the following claims are dismissed

without prejudice:

- Hindes' *Bivens* claims against defendants Paul Harvey and Patrick Cunningham for deliberate indifference to his medical needs in violation of the Eighth Amendment; and
- Hindes' Federal Tort Claims Act claim against the United States of America for inadequate medical care.

**DATED: October 2, 2018**

**THOMAS L. GALBRAITH, Acting Clerk of Court**

**s/ Tina Gray, Deputy Clerk**

**Approved: s/ J. Phil Gilbert**  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**