

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RODNEY C. HAMRICK,

Plaintiff,

v.

MAUREEN P. BAIRD,

Defendant.

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Case No. 3:16-cv-967-NJR-DGW

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court is the Motion for Certification of Class filed by Plaintiff, Rodney C. Hamrick (Doc. 13). For the reasons set forth below, the Motion is **DENIED**.

In his motion, Plaintiff asks the Court to certify as a class “all Muslim Prisoners incarcerated at the CMU in Marion, Illinois, and to consolidate all pending civil complaints filed by Muslim prisoners who were formerly, or are presently incarcerated at CMU Marion, citing to one other case pending in this District, *Chesser v. Walton, et al.*, Case No. 3:12-cv-1198-JPG-PMF.

Federal Rule of Civil Procedure 23(a) prescribes that one or more members of a class may sue as representative parties on behalf of all members only if: (1) the class is so numerous that joinder of all members is impracticable; (2) there are questions of law or fact common to the class; (3) the claims or defenses of the representative parties are typical of the claims or defenses of the class; and (4) the representative parties will fairly and adequately protect the interests of the class. In this instance, Plaintiff’s motion makes only bare assertions that his proposed class and the claims in this matter meet the requirements of Rule 23. Plaintiff’s motion is devoid of any

evidence that his claims are typical of the claims of the class or that he would fairly and adequately protect the interests of the class. Moreover, Plaintiff has failed to sufficiently demonstrate that the class is so numerous that joinder is impracticable as Plaintiff indicates there are only fifteen Muslim prisoners at CMU Marion (and it is not clear that these other Muslim inmates prescribe to the same beliefs as Plaintiff). As Plaintiff has failed to meet the requirements of Rule 23(a), his Motion for Certification of Class (Doc. 13) is **DENIED**.

IT IS SO ORDERED.

DATED: January 11, 2017



DONALD G. WILKERSON
United States Magistrate Judge