

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

MARK S. LEA, JR.,

Plaintiff,

v.

OFFICER LEMONS, QUALITY
CORRECTIONAL CARE, LLC,
JOHN/JANE DOES,

Defendants.

CAUSE NO. 1:22-CV-252-HAB-SLC

OPINION AND ORDER

Mark S. Lea, Jr., by counsel, filed a complaint alleging Officer Lemons used excessive force against him on October 5, 2020, at the Allen County Jail. ECF 1. He also alleges Quality Correctional Care, LLC, and its unknown employees denied him medical treatment. *Id.* The unknown defendants will be dismissed without prejudice under 28 U.S.C. § 1915A because “it is pointless to include lists of anonymous defendants in federal court; this type of placeholder does not open the door to relation back under Fed. R. Civ. P. 15, nor can it otherwise help the plaintiff.” *Wudtke v. Davel*, 128 F.3d 1057, 1060 (7th Cir. 1997) (citations omitted). Lea was granted leave to proceed in forma pauperis. ECF 3. Under 28 U.S.C. § 1915(d), the court must issue and serve process on the named defendants.

For these reasons, the court:

(1) GRANTS Mark S. Lea, Jr., leave to proceed against Officer Lemons and Quality Correctional Care, LLC, as described in the complaint;

(2) DISMISSES WITHOUT PREJUDICE John/Jane Does under 28 U.S.C. § 1915A;

(3) DIRECTS the clerk, under 28 U.S.C. § 1915(d), to request Waiver of Service from (and if necessary, the United States Marshals Service to use any lawful means to locate and serve process on) Quality Correctional Care, LLC, at Quality Correctional Care, LLC, with a copy of this order and the complaint (ECF 1);

(4) DIRECTS the clerk, under 28 U.S.C. § 1915(d), to request Waiver of Service from (and if necessary, the United States Marshals Service to use any lawful means to locate and serve process on) Officer Lemons at Allen County Jail, with a copy of this order and the complaint (ECF 1);

(5) ORDERS the Allen County Sheriff to provide the full name, date of birth, and last known home address of any defendant who does not waive service if he has such information; and

(6) ORDERS, under 42 U.S.C. § 1997e(g)(2), Officer Lemons and Quality Correctional Care, LLC, to respond, as provided for in the Federal Rules of Civil Procedure.

SO ORDERED on December 5, 2022.

s/ Holly A. Brady
JUDGE HOLLY A. BRADY
UNITED STATES DISTRICT COURT