

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

JAMES ANDREW LOHNES,

Plaintiff,

v.

CAUSE NO. 2:17-CV-259-TLS-APR

NURSE PRACTITIONER (K) CATHY and
MICHELLE,

Defendants.

OPINION AND ORDER

James Andrew Lohnes, a prisoner without a lawyer, filed a Motion to Alter or Amend a Judgment [ECF No. 175], requesting that the Court reconsider its order granting summary judgment in favor of the Defendants. The Court granted the Defendants' summary judgment motion on the merits, determining no reasonable jury could conclude the Defendants were deliberately indifferent for failing to treat Lohnes' hepatitis C at seven medical appointments at Lake County Jail between June 2016 and September 2017. July 19, 2021 Op. & Order 6, ECF No. 173.

In his motion for reconsideration, Lohnes raises two arguments. First, Lohnes argues the Court erroneously corrected a typographical error in the screening order regarding the Defendants' treatment of Lohnes' hepatitis C "since June [2016]."¹ Mot. 1–2, ECF No. 175. However, Lohnes has not explained why the Court erred by correcting this typographical error and considering his treatment back to June 2016. Second, Lohnes argues the Court erred by

¹ The screening order erroneously stated Lohnes was proceeding against the Defendants for denying him treatment for his hepatitis C "since June 2017," whereas it meant to state "since June 2016." *See* Nov. 28, 2017 Op. & Order 5, ECF No. 19. The summary judgment order corrected this typographical error and considered Lohnes' treatment relating back to June 2016. *See* July 19, 2021 Op. & Order 1 n.1.

denying his injunctive relief claim as moot on the grounds he was transferred out of Lake County Jail, as he is currently scheduled to be transported back to Lake County Jail in October for a post-conviction hearing. *Id.* at 2–3; ECF No. 175-1 at 3; *see Moore v. Thieret*, 862 F.2d 148, 150 (7th Cir. 1988) (holding that, if a prisoner is released or transferred to another prison after he files a complaint, his request for injunctive relief against officials of the first prison is moot unless he can demonstrate that he is likely to be retransferred). However, even if this transportation constitutes a “retransfer” back to Lake County Jail, this argument does not warrant reconsideration of this Court’s summary judgment order because Lohnes’ injunctive relief claim was primarily denied on the merits and was only denied as moot in the alternative. *See* July 19, 2021 Op. & Order 6 n.3.

Accordingly, Lohnes has not provided any valid basis for reconsideration of this Court’s order granting summary judgment. For these reasons, Lohnes’ Motion to Alter or Amend a Judgment [ECF No. 175] is DENIED.

SO ORDERED on October 19, 2021

s/ Theresa L. Springmann
JUDGE THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT