Collins v. Goff et al Doc. 51

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA SOUTH BEND DIVISION

ROBERT A. COLLINS,)
Plaintiff,)
V.) Case No. 3:18-CV-201-JD
CHRISTOPHER M. GOFF, ROBERT)
McCALLEN, ANDREW ANTRIM,)
BRYAN MICHAUD, JOSEPH W.)
EDDINGFIELD, JORDAN L. TANDY,)
SCOTT LONG, JOHN H. STEPHENS,)
WABASH CITY POLICE DEP'T,)
DAVID VANDERMARK, CLAYTON)
BIDDLE, PENNY BIDDLE and)
JEFFREY DEAN,)
)
Defendants.)

OPINION AND ORDER

Pro se plaintiff Robert A. Collins filed a complaint against thirteen defendants, including three state court judges, one state court prosecutor, two private attorneys, three private landowners, the president of Vandermark, Inc. (a building company), and Wabash, Indiana's mayor, building commissioner, and police department, alleging violations of 42 U.S.C. § 1983. As best the Court could discern from the allegations of the complaint, Collins contended that the defendants conspired to deprive him of various state rights.

In response to various defense motions, the Court entered an order stating the following:

While the shortcomings of the complaint detailed herein limit the ability to assess the potential merit of Collins' *pro se* claims, the Court believes justice so requires giving Collins an opportunity to file an amended complaint because he is proceeding *pro se* and may indeed be able to plead a viable claim concerning constitutional harms. Collins may obtain a copy of this Court's approved form – Civil Complaint (INND Rev. 8/16) – on the Court website at https://www.innd.uscourts.gov/sites/innd/files/CvCmplt.pdf. If he chooses to file an amended complaint, he must put the cause number of this case on it, which is on the first page of this Order. He should name the individuals responsible for his

claims as defendants (unless they are immune) and must describe his interactions with each defendant in detail, including names, dates, locations, and explain how each defendant was responsible for violating his federal rights. He should also avoid using pronouns such as "they" and "theirs" and he should not generally refer to "a defendant" or "the defendants."

[DE 50]. The Court gave Mr. Collins until February 11, 2019, to file an amended complaint and explicitly cautioned him that if he did not respond by this deadline, then the case would be dismissed without further notice. Mr. Collins has wholly failed to prosecute this action despite detailed directions attempting to assist him. Because the deadline passed almost ten months ago and Mr. Collins has not amended his complaint, the Court DISMISSES this case, without prejudice.

SO ORDERED.

ENTERED: December 9, 2019

/s/ JON E. DEGUILIO

Judge

United States District Court

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