

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

CURTIS D. KEPLINGER,

Plaintiff,

v.

JOHN DOE,

Defendant.

CAUSE NO. 3:21-CV-249 DRL-MGG

OPINION AND ORDER

Curtis D. Keplinger, a prisoner without a lawyer, began this case by filing a motion asking the court to extend the statute of limitations so he can file a civil rights lawsuit based on events which occurred on January 26, 2019. ECF 1. He did not file a complaint. It is unclear who he wants to sue and why. He did not caption his motion or name “John Doe” as a defendant. The clerk’s office added “John Doe” merely so a case could be opened and the motion ruled on by the court.

Mr. Keplinger is asking for an advisory opinion. However,

asking the question does not mean a federal court owes the [plaintiff] an answer—at least not now. The reason comes from Article III’s Case or Controversy requirement. Distilled to its essence, this requirement limits federal courts to resolving concrete disputes between adverse parties. Put another way, Article III prevents federal courts from answering legal questions, however important, before those questions have ripened into actual controversies between someone who has experienced (or imminently faces) an injury and another whose action or inaction caused (or risks causing) that injury. These limitations, requirements, and prohibitions are embodied in the so-called justiciability doctrines—standing, mootness, ripeness, and the prohibitions on providing advisory opinions and answering political questions.

Sweeney v. Raoul, 990 F.3d 555, 559 (7th Cir. 2021).

The motion will be denied. This case will be closed. If Mr. Keplinger wants to file a lawsuit, he must file a complaint on a **Pro Se 14 (INND Rev. 2/20) Prisoner Complaint** form which is available in his law library. If he does so, he must leave the cause number blank to alert the clerk to open a new case. He must not put this cause number on the form because this case will be closed.

For these reasons, the court DENIES the motion (ECF 1) and DIRECTS the clerk to close this case.

SO ORDERED.

April 19, 2021

s/ Damon R. Leichty
Judge, United States District Court