

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

EBERAIA D. FIELDS,

Plaintiff,

v.

ALEC S. VANTUINEN, COLEMAN
BECKLEY, KELLY WIREMAN, NOAH
SHAFER, and VENTURA,

Defendants.

CAUSE NO. 3:22-CV-102-DRL-MGG

OPINION AND ORDER

Eberaia D. Fields, a prisoner without a lawyer, filed an amended complaint with two unrelated claims. ECF 19. First, he sues Logansport Police Officer Alec S. Vantuinen for an excessive use of force on February 21, 2020. Second, he sues Cass County Jail Officers Kelly Wineman and Ventura for falsely accusing him of saying he was going to kill some children. “[U]nrelated claims against different defendants belong in different suits.” *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007). To the extent Mr. Fields is attempting to connect these unrelated events because he is also suing Cass County Prosecutors Coleman Beckley and Noah Shafer for filing charges against him related to these two events, “in initiating a prosecution and in presenting the State’s case, the prosecutor is immune from a civil suit for damages under § 1983.” *Imbler v. Pachtman*, 424 U.S. 409, 431 (1976). “Absolute immunity shields prosecutors even if they act maliciously, unreasonably, without probable cause, or even on the basis of false testimony or evidence” as he alleges they did. *Smith v. Power*, 346 F.3d 740, 742 (7th Cir. 2003)

(quotation marks and citation omitted). Prosecutors Coleman Beckley and Noah Shafer and the claims against them must be dismissed.

When a plaintiff files a complaint with unrelated or misjoined claims, the court may allow the plaintiff to decide which properly joined and related claims to pursue in the current case and when (or if) to bring the other claims in separate suits. *See Wheeler v. Wexford Health Sources, Inc.*, 689 F.3d 680, 683 (7th Cir. 2012) (courts may direct a plaintiff “to file separate complaints, each confined to one group of injuries and defendants”). Mr. Fields will be permitted to decide whether, in this case, to pursue his excessive force claim or his false accusation claim. To do so, he must put this cause number on a **Pro Se 14 (INND Rev. 2/20) Prisoner Complaint** form which is available from his law library. If he wants to pursue the other unrelated claim, he needs to file a separate complaint under a new case number. Whichever claim he pursues in this case, he needs to provide more details about the claim presented because both omit important details needed to properly evaluate them.

For these reasons, the court:

(1) DISMISSES WITH PREJUDICE Prosecutors Coleman Beckley and Noah Shafer and the claims against them;

(2) GRANTS Eberaia D. Fields until **June 22, 2022**, to file an amended complaint in this case; and

(3) CAUTIONS Eberaia D. Fields if he does not respond by the deadline, the court will select one claim and dismiss the other.

SO ORDERED.

May 19, 2022

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