

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

CORNELIUS LEMONT HINES,

Plaintiff,

v.

NANCY MARTHAKIS, DIANE THEW,  
and SHERRI FRITTER,

Defendants.

CAUSE NO. 3:22-CV-690-DRL-MGG

OPINION AND ORDER

Cornelius LeMont Hines, a prisoner without a lawyer, filed a complaint alleging the three defendants were deliberately indifferent to a serious medical need. ECF 1. “A document filed *pro se* is to be liberally construed, and a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (quotation marks and citations omitted). Nevertheless, under 28 U.S.C. § 1915A, the court must review the merits of a prisoner complaint and dismiss it if the action is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief.

Mr. Hines alleges his epilepsy causes him to have severe seizures requiring the use of a seizure helmet and mouthguard. He alleges these three defendants ignored this medical need by not providing him with replacement equipment in March 2022 when it went missing. This is the third time he has sued them based on this exact same allegation.

See *Hines v. Fritter*, 3:22-cv-425 (N.D. Ind. filed May 31, 2022), and *Hines v. Neal*, 3:22-cv-672 (N.D. Ind. filed August 18, 2022). It is malicious to sue the same people three times for the same claim.

For these reasons, this case is DISMISSED pursuant to 28 U.S.C. § 1915A because it is malicious.

SO ORDERED.

September 2, 2022

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