

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CHRISTOPHER RIDDLE,)	
)	
Plaintiff,)	
)	
v.)	No. 1:17-cv-03710-TWP-MJD
)	
MATT MYERS Sheriff,)	
)	
Defendant.)	

**Entry Granting Motion for Leave to File
Amended Complaint and Directing Service of Process**

The plaintiff's motion for leave to file amended complaint, dkt. [15], **is granted**. The **clerk is directed** to docket the proposed complaint, dkt. [15-1], as the amended complaint in this action.

The plaintiff is a prisoner currently incarcerated at the Bartholomew County Jail. Because the plaintiff is a "prisoner" as defined by 28 U.S.C. § 1915(h), this Court has an obligation under 28 U.S.C. § 1915A(b) to screen his amended complaint. Pursuant to 28 U.S.C. § 1915A(b), the Court must dismiss the complaint if it is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief. In determining whether the complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Lagerstrom v. Kingston*, 463 F.3d 621, 624 (7th Cir. 2006). To survive dismissal,

[the] complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.

Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). Pro se complaints such as that filed by the plaintiff are construed liberally and held to a less stringent standard than formal pleadings drafted by lawyers. *Obriecht v. Raemisch*, 517 F.3d 489, 491 n.2 (7th Cir. 2008).

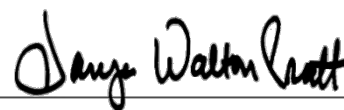
The plaintiff amended his complaint to add nine new defendants. First, he alleges that seven corrections officers have implemented discriminatory disciplinary sanctions at the direction of defendant Sheriff Matt Myers. Those officers are Sgts. Weaver and Reed, Lt. Stillabower, and Officers Fippen, Greenly, Tooley and Searles. The plaintiff's allegations against these defendants are sufficient to support an equal protection claim on the basis of gender, as discussed in the first screening entry of November 29, 2017.

The plaintiff's claim against Bartholomew County Commissioners is **dismissed**. The basis of the plaintiff's claim against Bartholomew County Commissioners is that the county commissioners are responsible for the policies of the sheriff's department and responsible for the training of sheriff deputies. The plaintiff is mistaken. Bartholomew County Commissioners are not responsible for setting or implementing policy within the Sheriff's Department. *Estate of Drayton v. Nelson*, 53 F.3d 165, 167-68 (7th Cir. 1994); *Donahue v. St. Joseph County*, 720 N.E.2d 1236, 1241 (Ind. Ct. App. 1999).

The clerk is **designated** pursuant to *Fed. R. Civ. P.* 4(c)(3) to issue process to defendants Sgts. Weaver and Reed, Officers Fippen, Greenly, Tooley and Searles, and Lt. Stillabower in the manner specified by *Fed. R. Civ. P.* 4(d). Process shall consist of the amended complaint, applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Entry.

IT IS SO ORDERED.

Date: 1/17/2018



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

CHRISTOPHER RIDDLE
Bartholomew County Jail
543 2nd Street
Columbus, IN 47201

All Electronically Registered Counsel

Sgt. WEAVER
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Sgt. REED
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Officer FIPPEN
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Officer GREENLY
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