

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CIVIL ACTION NO. 3:09CV-82-H

AARON CAMP

PLAINTIFF

V.

SCOTT HAAS, MD, et al.

DEFENDANTS

MEMORANDUM OPINION AND ORDER

A number of Defendants have moved for summary judgment. The following persons were members of the Administrative Grievance Committee which denied Plaintiff's grievances: Ron Everson, Deb Williams, Susan Reffett and April Hyatt. The following were medical professionals who provided information to the Grievance Committee: Patsy Hart and Debbie D'Ordine. Another Defendant, William Greenman, is on record as having denied Plaintiff a pain medicine on one occasion. The Court concludes that the claims against each of these Defendants may be resolved on summary judgment.

The Court concludes that under Sixth Circuit precedent, an individual whose actions are limited to the denial of an administrative grievance cannot be liable under § 1983. *Shehee v. Luttrell*, 199 F.3d 295, 300 (6th Cir. 1999). None of the first two groups of Defendants are alleged to have provided any medical care whatsoever to Plaintiff. These Defendants were either members of the Administrative Grievance Committee or provided information to the committee. The Court concludes that such activities cannot possibly lead to liability under § 1983.

Dr. Greenman has stated a number of reasons why the complaint against him should be

dismissed. Plaintiff failed to file any grievance against him. And, his only involvement is limited to one occasion on which he denied Plaintiff's referral to a pain clinic because other pain management therapy courses had not been completed. The Court concludes that Dr. Greenman's action in these circumstances are insufficient to impose liability under § 1983.

Being otherwise sufficiently advised,

IT IS HEREBY ORDERED that the claims against Ron Everson, Deb Williams, Susan Reffett, April Hyatt, Patsy Hart, Debbie D'Ordine, and William Greenman are DISMISSED WITH PREJUDICE. Other pending related motions are MOOT.

This is not a final order.

August 14, 2009



John G. Heyburn II, Judge
United States District Court

cc: Counsel of Record