

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
LOUISVILLE DIVISION

HERMAN ANTHONY KEELING,

Plaintiff,

v.

Civil Action No. 3:14-cv-P697-DJH

LOUISVILLE METRO CORRECTIONS DEPARTMENT et al.,

Defendants.

\* \* \* \* \*

**MEMORANDUM OPINION**

On May 29, 2015, the Court conducted an initial review of Plaintiff Herman Anthony Keeling's *pro se* action pursuant to 28 U.S.C. § 1915A and *McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997), *overruled on other grounds by Jones v. Bock*, 549 U.S. 199 (2007). On initial review, this Court dismissed several of Plaintiff's claims pursuant to 28 U.S.C.

§ 1915A(b)(1) for failure to state a claim. The Court found that three of his claims -- the alleged denial of medication, the alleged retaliation, and the alleged assault -- failed to state a claim as put forth in the complaint but that, under *LaFountain v. Harry*, 716 F.3d 944, 951 (6th Cir. 2013), Plaintiff should be allowed to amend. Therefore, the Court ordered that within 30 days Plaintiff could file an amended complaint providing greater detail as to the facts surrounding the alleged denial of medication, the alleged retaliation, and the alleged assault and to add as Defendant(s) the individual(s) responsible for the alleged constitutional violations. That Order warned Plaintiff that failure to comply within the allotted time would result in dismissal of this action.

More than 30 days have passed, and Plaintiff has not filed an amended complaint. The

Court will, therefore, by separate Order dismiss all remaining claims for failure to state a claim on which relief may be granted.

Date: July 16, 2015

A handwritten signature in black ink, appearing to read "D.J. Hale", is written over a faint circular seal of the United States District Court for the District of Tennessee.

**David J. Hale, Judge  
United States District Court**

cc: Plaintiff, *pro se*  
Defendants  
Jefferson County Attorney  
4415.009