

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

SHON D. MILLER SR. (#427562)

VERSUS

CIVIL ACTION

N. BURL CAIN, ET AL

NUMBER 12-730-JJB-SCR

RULING ON MOTION FOR CONSOLIDATION OF CASES

Before the court is the plaintiff's Motion and Order For Consolidation of Cases for Trial on the Merits. Record document number 14.

Pro se plaintiff, an inmate confined at Louisiana State Penitentiary, Angola, Louisiana, filed this action pursuant to 42 U.S.C. § 1983 against Warden N. Burl Cain, Warden Bruce Dodd, Warden Shirley Coody, Warden Donald Barr, Warden Kenneth Norris, Dr. Jonathan Roundtree, Dr. Raman Singh, Dr. Hal McMurdo, Dr. Jason Collins, Louisiana Department of Public Safety and Corrections Secretary James LeBlanc and Gov. Bobby Jindal. Plaintiff alleged in 2006 he underwent a spinal cord fusion. Plaintiff alleged that since that time, his spinal cord has deteriorated and the hardware used to fuse his spine is causing a chronic infection which is not being treated adequately.

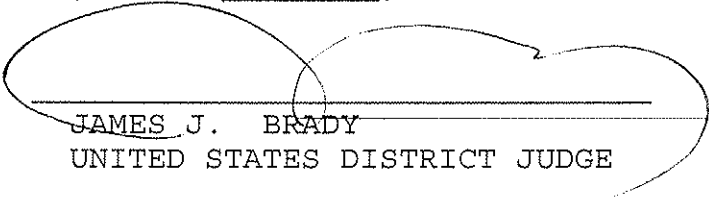
Plaintiff moved to consolidate his case with *Francis Brauner v. Shirley Coody, et al*, CV 12-314-BAJ-SCR, a *pro se* prisoner case in which the plaintiff asserts that he was denied adequate

medical treatment. Specifically, *pro se* plaintiff Francis Brauner, a prisoner at Louisiana State Penitentiary, Angola, Louisiana, filed his complaint pursuant to 42 U.S.C. § 1983 against Asst. Warden Shirley Coody, Asst. Warden Kenneth Norris, Dr. Jonathan Roundtree, Dr. Jason Collins, Dr. McMurdo, Dr. Charles Barkemeyer, Dr. Randy Lavesphere, Sharon Dunbar, and nurses Rosie Washington, Chuck Dugas, Kim Plylar, Megan Ruffin, Melinda Thomas, Tammy Jack and Sherwood Poret. Plaintiff alleged that the defendants were deliberately indifferent to his serious medical needs. Specifically, the plaintiff alleged that he is paraplegic and is not receiving adequate medical treatment for severe decubitus ulcers.

Although the *pro se* plaintiffs have each alleged deliberate indifference to their serious medical needs in their respective cases, the two suits do not involve the same set of facts, the defendants in each suit are not the same and the cases are not in the same posture.

Accordingly, the plaintiff's Motion and Order For Consolidation of Cases for Trial on the Merits is denied.

Baton Rouge, Louisiana, March 11th, 2013.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE