

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

Chambers of
Ellen Lipton Hollander
District Court Judge

101 West Lombard Street
Baltimore, Maryland 21201
410-962-0742

October 27, 2017

MEMORANDUM TO COUNSEL

Re: Foreman v. Wexford Health Sources, Inc. et al.
Civil Action No. ELH-17-26

Dear Counsel:

As you know, on January 4, 2017, plaintiff Marcus Foreman, an inmate at the Eastern Correctional Institution (“ECI”), filed a civil rights suit under 42 U.S.C. § 1983 against Wexford Health Sources, Inc. (“Wexford”), “Nurse Georgia,” PA Bruce Ford, and ECI. ECF 1 (“Complaint”). Plaintiff alleges, inter alia, denial of adequate medical care after falling from a top bunk on March 26, 2016. ECF 1 at 5.

On August 25, 2017, Wexford and Ford filed a Motion to Dismiss, or in the Alternative, for Summary Judgment. ECF 17 (the “Motion”).¹ On August 28, 2017, the Clerk sent Foreman a letter explaining that he had 17 days to respond to the Motion, and that failure to timely respond may result in dismissal of his suit or the entry of judgment against him. ECF 18 (“Rule 12/56 Letter”). Pursuant to the Rule 12/56 Letter, plaintiff had until September 14, 2017, to respond to the Motion.

On September 14, 2017, Breon Lamar Johnson, Esq. entered an appearance on behalf of Foreman. ECF 19. On that same date, Johnson filed a Motion to Extend Time, seeking “a 30-day extension to file a response to the Defendants’ motion to dismiss.” ECF 20, ¶ 4. I granted plaintiff’s motion on the same date. ECF 21. Therefore, plaintiff’s response to the Motion was due by October 14, 2017.

As of today, plaintiff has not responded to the Motion. See Docket. Accordingly, by **November 9, 2017**, counsel shall respond to the Motion. In the absence of a response, I shall assume that plaintiff does not oppose the Motion.

¹ Nurse Georgia has not been served. The Motion notes that “Nurse Georgia” is “unidentified” and is not represented by counsel for Wexford and Ford. ECF 17 at 1.

Despite the informal nature of this Memorandum, it is an Order of the Court, and the Clerk is directed to docket it as such.

Very truly yours,

/s/

Ellen Lipton Hollander
United States District Judge