

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HAROLD CAGE,

Plaintiff,

Case No. 16-11679

Hon. Matthew F. Leitman

v.

STATE OF MICHIGAN *et al.*,

Defendants.

ORDER DENYING WITHOUT PREJUDICE DEFENDANTS' MOTION TO SEVER BASED ON MISJOINDER OF PARTIES AND CLAIMS (ECF #43)

This is a pro se prisoner's civil rights action. Plaintiff Harold Cage ("Mr. Cage") filed a multi-count Complaint against more than twenty different Defendants who are employed at several different facilities operated by the Michigan Department of Corrections. (*See* ECF #1.) The only motion currently pending is Defendants' motion to sever based upon misjoinder of parties and claims (the "Motion"). (*See* ECF # 43.)

The Court is currently in the process of appointing counsel for Mr. Cage. Once appointed, counsel for Mr. Cage will meet with defense counsel regarding the possible misjoinder of the claims and defendants listed in the Complaint. Counsel may very well resolve the issues raised in the Motion. Accordingly, the

Court **DENIES** the Motion **WITHOUT PREJUDICE**. If counsel cannot resolve the issues raised in the Motion, then Defendants can refile a motion to sever.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: March 21, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 21, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113