

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TREMAIN JONES,

Plaintiff,

v.

Case No. 14-13153

Honorable Linda V. Parker

LYNN PARRISH, ET AL.,

Defendants.

**ORDER CORRECTING SEPTEMBER 15, 2015 OPINION AND ORDER
AND REINSTATING DEFENDANT D. MAYNARD**

On August 14, 2014, Plaintiff Tremain Jones (“Plaintiff”) commenced this lawsuit against fifty-two defendants which include the Michigan Department of Corrections (“MDOC”) and MDOC employees. Most of the individual defendants named in Plaintiff’s complaint work or have worked at one of the four correctional facilities where Plaintiff has been incarcerated. In his Complaint, Plaintiff asserts twelve separate counts that claim violations of his federal constitutional rights, federal statutes, and state law. The matter has been assigned to Magistrate Judge Anthony P. Patti for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation (“R&R”) on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B).

On August 12, 2015, Magistrate Judge Patti issued an R&R with respect to motions to sever filed by several defendants. (ECF No. 41.) In his R&R, Magistrate Judge Patti recommended granting in part the motions and dismissing without prejudice Plaintiff's causes of action that do not arise from alleged misconduct at the Bellamy Creek Correctional Facility ("IBC"). (*Id.*) Magistrate Judge Patti also recommended that the Court dismiss any defendants who were not involved in the activities at IBC. (*Id.*) Stated differently, Magistrate Judge Patti "recommend[ed] that the action proceed against only the IBC Defendants (McKee, Parrish, Maynard, Kimble, Ryan, Walker, Bolton, Bradley, Franks, Schooley, Curtis, Russell, and Heyns) and the MDOC." (*Id.* at Pg ID 906.)

On September 25, 2015, this Court issued an opinion and order adopting Magistrate Judge Patti's recommendations. (ECF No. 48.) In this decision, however, the Court accidentally included Maynard in the list of individuals to be dismissed from the action. (*Id.* at Pg ID 950.) The Court therefore is **REINSTATING** Maynard as a party to this action. The Court additionally notes that while the R&R refers to Curtis, Russell, and Heyns as "IBC Defendants", *see supra*, these individuals do not appear to be IBC correctional employees. Nevertheless, as Plaintiff's allegations against these three defendants relate to the

activities at IBC, the action will proceed against them.

SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: November 12, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, November 12, 2015, by electronic and/or U.S. First Class mail.

s/ Richard Loury
Case Manager