

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LARRY D. JOHNSON,

Plaintiff,

Case No. 1:12-cv-1368

v.

Honorable Gordon J. Quist

CORIZON CORRECTIONAL
HEALTHCARE et al.,

Defendants.

ORDER FOR PARTIAL DISMISSAL
and PARTIAL SERVICE

In accordance with the Opinion filed this date:

IT IS ORDERED that Plaintiff's action against Defendants Lafler, Trierweiler, Schafer, Isaacs, McKenna, Hogan, Pugh and Filsinger is DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. § 1915(e) for failure to state a claim upon which relief may be granted.

IT IS FURTHER ORDERED that Plaintiff's claims against the remaining Defendants arising out of conduct preceding December 14, 2009 are DISMISSED WITH PREJUDICE because they are time-barred and therefore fail to state a claim.

IT IS FURTHER ORDERED that the Clerk shall forward the complaint to the U.S. Marshals Service, which is authorized to mail a request for waiver of service to Defendants Corizon, Miles, Edelman, Stieve, Pandya, Plath, Laughhunn, Keller-Jerome, Wiles, Bowerman-Torres, and Hearld in the manner prescribed by Fed. R. Civ. P. 4(d)(2). If waiver of service is unsuccessful,

summons shall issue and be forwarded to the U.S. Marshals Service for service under 28 U.S.C. § 1915(d).

IT IS FURTHER ORDERED that Defendants Corizon, Miles, Edelman, Stieve, Pandya, Plath, Laughhunn, Keller-Jerome, Wiles, Bowerman-Torres, and Hearld shall file an appearance of counsel (individual Defendants may appear *pro se* if they do not have counsel) within 21 days of service or, in the case of a waiver of service, 60 days after the waiver of service was sent. Until so ordered by the Court, no Defendant is required to file an answer or motion in response to the complaint, and no default will be entered for failure to do so. *See* 42 U.S.C. § 1997e(g)(1). After a Defendant has filed an appearance, proceedings in this case will be governed by the Court's Standard Case Management Order in a Prisoner Civil Rights Case.

Dated: January 22, 2013

/s/ Gordon J. Quist
Gordon J. Quist
United States District Judge