

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

LESLIE BERNARD HOWARD,)	
)	
Plaintiff,)	
)	
v.)	No. 1:12CV3 LMB
)	
UNKNOWN KNUDSEN and)	
CORRECTIONAL MEDICAL)	
SERVICES,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon review of plaintiff's amended complaint. In the Court's prior Memorandum and Order, plaintiff, a parolee at Kansas City Community Release Center, was granted leave to proceed in forma pauperis; however, he was required to file an amended complaint, pursuant to 28 U.S.C. § 1915.

Plaintiff brings this action pursuant to 42 U.S.C. § 1983 alleging violations of his civil rights that purportedly occurred during his incarceration at Southeast Correctional Center. Named as defendants are Unknown Doctor Knudsen and Correctional Medical Services ("CMS").

Construing the pro se complaint liberally, plaintiff alleges that Dr. Knudsen, acting with deliberate indifference to his serious medical needs and pursuant to a custom or policy of his employer, CMS, denied plaintiff treatment for an infection on

his foot during an office visit he was having with Dr. Knudsen for a separate medical problem. Plaintiff claims that despite his complaints of “having a serious problem on his foot,” as a result of Dr. Knudsen’s citation to CMS policy or custom, the doctor refused to treat his foot, telling plaintiff that he would only see him for the initially requested medical problem. Plaintiff asserts that Dr. Knudsen insisted that he would not treat plaintiff’s foot until he went through “sick call” and was placed on a “waiting list” to see the doctor. Plaintiff complains that by the time he went through the procedures outlined by Dr. Knudsen, he had developed gangrene on his foot and it required a partial amputation.

After reviewing the amended complaint, the Court will order the Clerk to issue process or cause process to be issued on the amended complaint against defendants Unknown Knudsen and Correctional Medical Services.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall issue process or cause process to issue upon the amended complaint, pursuant to the waiver agreement the Court has with Correctional Medical Services.

IT IS FURTHER ORDERED that, pursuant to 42 U.S.C. § 1997e(g)(2), defendants shall reply to plaintiff’s claims within the time provided by the applicable provisions of Rule 12(a) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that this case is assigned to Track 5B: Prisoner Standard.

Dated this 28th day of February, 2012.

Lewis M. Blanton

LEWIS M. BLANTON
UNITED STATES MAGISTRATE JUDGE