

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

MURLIN R. PHILLIPS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:17-cv-196-SPM
	)	
CORIZON HEALTH, INC., et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court upon review pursuant to 28 U.S.C. § 1915A.<sup>1</sup> Plaintiff, an inmate at the Southeast Correctional Center (“SECC”), has filed a document entitled “Injunction.” Therein, he asks the Court to issue an injunction against seven defendants<sup>2</sup> “to stop the November 20, 2017 lock down” of inmates housed in the Enhanced Care Unit, pending the completion of grievances and an unspecified civil lawsuit based upon the Americans With Disabilities Act.

To the extent plaintiff can be understood to attempt to initiate a civil action for injunction, he is advised that an injunction is a remedy, not an independent cause of action. *See Henke v. Arco Midcon, L.L.C.*, 750 F. Supp. 2d 1052, 1059-60 (E.D. Mo. 2010) (internal citations omitted). To the extent plaintiff can be understood to assert claims pursuant to 42 U.S.C. § 1983 related to the conditions of his confinement, he fails to explain how any of the named defendants are personally responsible for violating his constitutional rights, and he purports to bring claims on behalf of other inmates, which is impermissible.

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<sup>1</sup> On November 8, 2017, plaintiff paid the \$400 filing fee.

<sup>2</sup> Corizon Health, Inc., Corizon SECC Administrator Rachel Leijai, the Missouri Department of Corrections, Caseworker Unknown Patterson, Functional Unit Manager Unknown Hanabrick, the Southeast Correctional Center, and Warden Jason Lewis.

Because plaintiff is proceeding pro se, he will be given the opportunity to submit a complaint. He may seek injunctive relief as part of a prayer for relief in a claim asserted therein. Plaintiff must submit the complaint on a court-provided form, and the complaint must comply with Rules 8 and 10 of the Federal Rules of Civil Procedure.

In the “Caption” section of the complaint, plaintiff must state the first and last name, to the extent he knows it, of each defendant he wishes to sue. Plaintiff should also indicate whether he intends to sue each defendant in his or her individual capacity, official capacity, or both.

In the “Statement of Claim” section, plaintiff should begin by writing the first defendant’s name. In separate, numbered paragraphs under that name, plaintiff should set forth a short and plain statement of the facts supporting his claim or claims against that defendant, as well as the constitutional right or rights that defendant violated. Plaintiff should only include claims that arise out of the same transaction or occurrence, or simply put, claims that are related to each other. *See* Fed. R. Civ. P. 20(a)(2). Alternatively, plaintiff may choose a single defendant and set forth as many claims as he has against that defendant. *See* Fed. R. Civ. P. 18(a).

If plaintiff is suing more than one defendant, he should proceed in the same manner with each one, separately writing each individual defendant’s name and, under that name, in numbered paragraphs, the facts specific to that particular defendant and the right(s) that defendant violated. Plaintiff should avoid naming anyone as a defendant unless that person is directly related to his claim(s). Plaintiff’s failure to make specific and actionable factual allegations against any defendant will result in that defendant’s dismissal from this case.

Accordingly,

**IT IS HEREBY ORDERED** that, within twenty-one (21) days of the date of this

Memorandum and Order, plaintiff shall submit a complaint in accordance with the instructions set forth herein.

**IT IS FURTHER ORDERED** that the Clerk of Court shall mail to plaintiff a blank Prisoner Civil Rights Complaint form. Plaintiff may request additional forms as needed.

**If plaintiff fails to timely comply with this Memorandum and Order, the Court will dismiss this action without prejudice and without further notice.**

Dated this 22nd day of January, 2018.



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SHIRLEY PADMORE MENSAH  
UNITED STATES MAGISTRATE JUDGE