

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

HARRISON S. LOFTON,
Plaintiff

Case No. 1:11-cv-539
Dlott, J.

vs

C/O MATT CUCKLER,
Defendant

ORDER

Plaintiff, an inmate at the Southern Ohio Correctional Facility (SOCF) in Lucasville, Ohio, brings this civil rights action against SOCF Corrections Officer Matt Cuckler. By separate Order issued this date, plaintiff has been granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. This matter is before the Court for a sua sponte review of the complaint to determine whether the complaint, or any portion thereof, should be dismissed as frivolous, malicious, for failure to state a claim upon which relief may be granted, or because it seeks monetary relief from a defendant who is immune from such relief. *See* 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b).

Plaintiff, who is proceeding pro se, alleges a claim of retaliation by defendant Cuckler in violation of plaintiff's constitutional rights. At this juncture, the Court concludes that this action may proceed. *See* 28 U.S.C. § 1915(e)(2)(B).

It is **ORDERED** that the United States Marshal serve a copy of the complaint, summons, and this order upon defendants as directed by plaintiff. All costs of service shall be advanced by the United States.

It is further **ORDERED** that plaintiff shall serve upon defendant or, if appearance has been entered by counsel, upon defendant's attorney, a copy of every further pleading or other

document submitted for consideration by the Court. Plaintiff shall include with the original paper to be filed with the clerk of court a certificate stating the date a true and correct copy of any document was mailed to defendant or counsel. Any paper received by a district judge or magistrate judge which has not been filed with the clerk or which fails to include a certificate of service will be disregarded by the court.

It is further **ORDERED** that plaintiff shall inform the Court promptly of any changes in his address which may occur during the pendency of this lawsuit.

IT IS SO ORDERED.

Date: 8/15/2011

s/Karen L. Litkovitz
Karen L. Litkovitz, Magistrate Judge
United States District Court