

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|---------------------------------|---|-----------------------------------|
| LOUIS MEDLEY, | : | CIVIL NO. 1:15-CV-1261 |
| | : | |
| Plaintiff, | : | (Judge Caldwell) |
| | : | |
| v. | : | |
| | : | (Magistrate Judge Carlson) |
| UNITED STATES OF AMERICA | : | |
| | : | |
| Defendant. | : | |

MEMORANDUM AND ORDER

This *pro se* civil rights action was first brought by Louis Medley, a federal inmate, through the filing of a complaint on June 29, 2015. (Doc. 1.) Liberally construed, in his complaint Medley alleged that prison officials negligently failed to follow their own protocol for screening inmates for tuberculosis and placed a tubercular inmate in Medley’s prison housing unit, exposing him to tuberculosis, which he contracted in a latent form. (Id., ¶ 12.) While the ultimate merit of Medley’s claims remained to be litigated, and is the subject of a pending summary judgment motion, (Doc. 69.), Medley struggled to advance proper discovery in this case and litigate these claims. Given the challenges which Medley faced in trying to articulate his claims and discovery demands, and the arguable merit of those claims, we conditionally appointed counsel in this case and directed the *Pro Bono* panel of

the Middle District of Pennsylvania Chapter of the Federal Bar Association to notify us if counsel had been located who could assist Medley. (Doc. 86.) We have not received a response to this order from the *Pro Bono* Coordinator for the Middle District of Pennsylvania Chapter of the Federal Bar Association, but have made inquiries regarding the status of this order and anticipate having further information to share with the parties.

In the meanwhile, action on the pending summary judgment motion has been deferred as we awaited information concerning the appointment of counsel for Medley. As we have awaited this information, Medley has filed several motions seeking to extend his response deadline to the summary judgment motion. (Docs. 81 and 82.) We will GRANT these motions for extension of time, STAY further consideration of the summary judgment motion (Doc. 69.) at this time pending a report on appointment of counsel to represent Medley, and will set a schedule for further proceedings following clarification of whether any counsel is available to assist the plaintiff.

IT IS FURTHER ORDERED that the *Pro Bono* Coordinator for Middle District of Pennsylvania Chapter of the Federal Bar Association shall report to the Court on the progress of identifying *pro bono* counsel on or before **October 10, 2017**.

Finally, IT IS ORDERED that the defendant provide a status report detailing the discovery provided to Medley, so we may determine whether further discovery is needed in this case on or before **October 10, 2017**.

SO ORDERED this 19th day of September 2017.

/s/ Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge