

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

MARK W. GIVLER,

Plaintiff,

v.

No.: 3:11-cv-221  
(VARLAN/SHIRLEY)

BILL FANCHER,  
JEFFERY LAMBERT,  
and KATHY WALKER,

Defendants.<sup>1</sup>

**MEMORANDUM AND ORDER**

This is a *pro se* prisoner's civil rights complaint under 42 U.S.C. § 1983. Plaintiff, who is confined in the Blount County Detention Center, alleged he was assaulted by defendants Fancher and Lambert, and denied medical attention by defendant Walker. When plaintiff failed to return the service packets for the defendants, the action was dismissed without prejudice for failure to prosecute and to comply with the orders of the Court. Plaintiff then filed a motion to clarify cases and a motion for free copies of all documents in this case and his three other pending cases.

In his motion to clarify, plaintiff states that he filed this action when he had not heard anything about his prior case against the defendants. As plaintiff points out, he has an earlier filed case against the same defendants on the same claims. *Mark W. Givler v. Jeffery*

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<sup>1</sup>Plaintiff also named as a defendant the Blount County Adult Detention Center, which was dismissed by the Court *sua sponte* because it is not a suable entity under § 1983.

*Lambert, Bill Fancher, and Kathy Walker*, Civil Action No. 3:11-cv-179 (E.D. Tenn.).

According to plaintiff, after mailing this complaint, he received the paperwork on the previously filed case and assumed the second complaint would be stricken from the record.

As plaintiff also points out, he completed the service packets in the previous case. Plaintiff's motion to clarify is more of an explanation than a motion, and for that reason the motion [Doc. 13] is **DENIED**.

In his motion for copies, plaintiff asks that copies of all documents in this case and his three other pending cases be sent free of charge to him and his sister, Ruthe Givler, who he states is an out-of-work paralegal. Plaintiff does not state why he needs copies of documents that should already be in his possession and his sister, who is not a party to the case, clearly is not entitled to free copies of pleadings in plaintiff's cases. The motion for copies [Doc. 14] is **DENIED**.

**E N T E R :**

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE