Opinions for the week of April 27 – May 1, 2020

USA v. Albert Edwards Nos. 19-1477 and 19-2634
Submitted April 10, 2020 — Decided April 27, 2020
Case Type: Criminal
Northern District of Illinois, Western Division. No. 93 CR 20026-2 — **Philip G. Reinhard**, *Judge*.
Before MICHAEL S. KANNE, *Circuit Judge;* ILANA DIAMOND ROVNER, *Circuit Judge;* DAVID F. HAMILTON, *Circuit Judge.*

ORDER
After spending more than two decades in prison, Albert Edwards became eligible for a sentence reduction under the First Step Act. When he moved for relief under the Act, the district court reduced his sentence of 440 months' imprisonment to 344 months—roughly equivalent to time served. But it deferred ruling on Edwards' request to reduce his 10-year term of supervised release until it could hold a hearing. Edwards appealed. Several months after Edwards' release from prison, the court issued a second order reducing his supervision to the statutory minimum of six years. Edwards appealed again. He contends that the district court was required to modify his prison sentence and his supervised release at the same time, and because it did not, he has no supervision to serve. Because the first order was not a final judgment, however, we dismiss Edwards' first appeal for lack of appellate jurisdiction. In the second appeal, we affirm the court's final judgment because it acted within its authority when it briefly deferred ruling on Edwards' request to reduce his supervision.

USA v. Michael Triplett No. 19-1336
Submitted April 10, 2020 — Decided April 27, 2020
Case Type: Criminal
Northern District of Illinois. No. 1:13-CR-00446(1) — **Charles R. Norgle**, *Judge*.
Before MICHAEL S. KANNE, *Circuit Judge;* ILANA DIAMOND ROVNER, *Circuit Judge;* DAVID F. HAMILTON, *Circuit Judge.*

ORDER
After a police officer saw Michael Triplett exchange money for an item from his car, he and other officers searched Triplett's car and found a loaded revolver and bags of illegal drugs. Facing drug and gun-possession charges, Triplett moved to suppress the evidence obtained during the search. The district court denied his motion, and Triplett pleaded guilty (pursuant to a conditional plea that allowed him to challenge the search on appeal) to two charges: possessing a firearm in furtherance of drug trafficking, 18 U.S.C. § 924(c)(1)(A), and possessing a firearm as a felon, *id.* § 922(g). The court imposed a sentence of 20 years in prison, which, because of Triplett's status as an armed career criminal, was the mandatory minimum. Triplett now appeals, but his appointed lawyer asserts that the appeal is frivolous and moves to withdraw. *See Anders v. California*, 386 U.S. 738, 744 (1967). We disagree. Because a lawyer could raise a nonfrivolous argument that the police lacked probable cause to search Triplett's car lawfully, we deny counsel's motion to withdraw and order counsel to brief the merits of Triplett's appeal.

USA v. John O'Leary, IV No. 18-1931
Argued February 20, 2020 — Decided April 27, 2020
Case Type: Criminal
Northern District of Illinois, Eastern Division. No. 14 CR 00429-5 — **Robert M. Dow, Jr.**, *Judge.*
Before BAUER, EASTERBROOK, and MANION, *Circuit Judges*.

BAUER, *Circuit Judge.* John L. O'Leary, IV, and his co-defendants operated a crack cocaine distribution business from 2010 to 2014. O'Leary sold crack cocaine rocks to customers, collected money, and looked out for police. Each packet of cocaine contained 30 rocks, priced at $10 per rock. Each distributor

received about one to eight packets daily, dependent on demand and favor in the operation, retaining a $100 profit and remitting the remaining $200 to the operation. As a preferred distributor, O'Leary received more packets than others. After the grand jury was presented with detailed testimony about the operation and his involvement, it indicted O'Leary. He elected to have a bench trial. The government presented a variety of evidence in support of the charges including O'Leary's stipulations, the grand jury testimony, six intercepted phone calls, a map of the area where the distributions took place, and 23 grams of seized cocaine. The parties stipulated that O'Leary had knowingly sold .4 grams of crack cocaine to an undercover officer on both April 9, 2014, and April 25, 2014. The government presented six wire tapped telephone recordings of O'Leary making incriminating statements. O'Leary was also present when co-conspirators sold crack cocaine packets. O'Leary was found guilty and he was sentenced to 120 months in prison. O'Leary appeals, contending the government did not prove beyond a reasonable doubt the relevant quantity of 280 grams of cocaine. For the following reasons, we affirm.

USA v. Terrance J. Shaw, Fred T. Robinson, Rashann Grier, and Romond Foulks Nos. 19-2067, 19-2069, 19-2078 & 19-2117
Argued December 13, 2019 — Decided April 28, 2020
Case Type: Criminal
Central District of Illinois. No. 07-CR-10004 — **Joe B. McDade**, *Judge*. No. 10-CR-20031 — **James E. Shadid**, *Judge*. Nos. 05-CR-10053 & 09-CR-40081 — **Michael M. Mihm**, *Judge*.
Before MANION, KANNE, and BRENNAN, *Circuit Judges*.

KANNE, *Circuit Judge*. In 2018, Congress passed the First Step Act to address the disparities between sentences for crack and powder cocaine. Among other things, the First Step Act allows certain criminal defendants to seek, and district courts to impose, sentence reductions if the defendant was previously convicted of a "covered offense." To determine whether a defendant is eligible for a reduced sentence under the First Step Act, a court needs to look only at a defendant's statute of conviction, not to the quantities of crack involved in the offense. More specifically, if a defendant was convicted of a crack-cocaine offense that was later modified by the Fair Sentencing Act, he or she is eligible to have a court consider whether to reduce the previously imposed term of imprisonment. Here, each defendant's statutory penalties for crack-cocaine offenses had been modified by the Fair Sentencing Act, so each is eligible to have a court consider whether to reduce the defendant's sentence under the First Step Act. Because each district court did not do so in each of their respective cases, we reverse and remand all three respective district court orders denying the motions for a sentence reduction.

Jonathan Chambers v. Kul Sood No. 17-3503
Argued September 25, 2019 — Decided April 28, 2020
Case Type: Prisoner
Northern District of Illinois, Eastern Division. No. 14 C 2545 — **John J. Tharp, Jr.**, *Judge*.
Before FLAUM, SYKES, and SCUDDER, *Circuit Judges*.

SYKES, *Circuit Judge*. Jonathan Chambers, an Illinois prisoner, sued a prison doctor under 42 U.S.C. § 1983 accusing him of deliberate indifference to his medical needs— specifically, his need for medication to treat a flare-up of a painful chronic condition. The doctor had examined him during the intake process at the Stateville Correctional Center, which serves as the reception unit for new Illinois prisoners. Chambers was housed there for a few weeks when he was processed into state custody, and he filed a grievance with the Stateville grievance office protesting the doctor's failure to prescribe medication. But Chambers was transferred to a different prison before the grievance was investigated, so a grievance officer returned it to him unreviewed and invited him to take the matter to the Administrative Review Board ("ARB" or "the Board"). The ARB normally serves in an appellate capacity reviewing decisions of grievance officers, but the operative regulations also specified that grievances pertaining to problems at an earlier-assigned prison must be filed directly with the Board. Chambers skipped this step and instead

brought this lawsuit in district court. The judge dismissed the suit for failure to exhaust administrative remedies, and we affirm.

USA v. Patrick Burton No. 19-3483
Submitted April 29, 2020 — Decided April 29, 2020
Case Type: Criminal
Southern District of Illinois. No. 09-CR-30004-NJR-1 — **Nancy J. Rosenstengel**, *Chief Judge*.
Before ILANA DIAMOND ROVNER, *Circuit Judge;* AMY C. BARRETT, *Circuit Judge*; AMY J. ST. EVE, *Circuit Judge.*

ORDER
Patrick Burton was convicted in 2010 of two counts of distributing five or more grams of cocaine, *see* 18 U.S.C. § 841(a)(2), (b)(1)(B), and sentenced to 210 months' imprisonment, at the bottom of the advisory guidelines range of 210 to 262 months and above the ten-year statutory minimum. We dismissed his direct appeal. *United States v. Burton*, 437 F. App'x 512 (7th Cir. 2011). In 2014, Burton's sentence was reduced to 168 months based on Amendment 782 to the sentencing guidelines, which lowered the offense level for his narcotics-related crime. *See* 18 U.S.C. § 3582(c). In 2019, Burton, through counsel, moved to reduce his sentence under the First Step Act, Pub. L. No. 115-319, § 404(b), 132 Stat. 5194, 5222 (2018), which made retroactive to some defendants sentenced before August 3, 2010, provisions of the Fair Sentencing Act, § 801, 21 U.S.C. § 841(b)(1)(A)(iii), that modified the statutory penalties in § 841(b)(1). The district court denied the motion, concluding that the Fair Sentencing Act would not affect Burton's overall sentence, which was based on the guidelines and not a statutory minimum. The court commended Burton on his good behavior while in custody over the past decade but concluded—especially considering Burton's prior sentence reduction—that any departure from his sentence would be "foolhardy" and "excessive." Burton filed a notice of appeal, but his appointed counsel asserts that the appeal is frivolous and moves to withdraw under *Anders v. California*, 386 U.S. 738, 744 (1967). We note that *Anders* does not extend to proceedings in which a defendant seeks to reduce his sentence following retroactive sentencing changes. *See United States v. Foster*, 706 F.3d 887, 887–88 (7th Cir. 2013). Nevertheless, we follow the *Anders* safeguards to ensure consideration of potential issues. *See Pennsylvania v. Finley*, 481 U.S. 551, 554–55 (1987); *United States v. Brown*, 823 F.3d 392, 394 (7th Cir. 2016). Burton has not responded to counsel's motion. *See* CIR. R. 51(b)… Accordingly, we GRANT counsel's motion to withdraw and DISMISS the appeal.

Kenneth Mayle v. City of Chicago No. 19-3208
Submitted April 29, 2020 — Decided April 29, 2020
Case Type: Civil
Northern District of Illinois, Eastern Division. No. 18 C 6211 — **Harry D. Leinenweber**, *Judge*.
Before ILANA DIAMOND ROVNER, *Circuit Judge;* AMY C. BARRETT, *Circuit Judge;* AMY J. ST. EVE, *Circuit Judge.*

ORDER
The City of Chicago bars Kenneth Mayle from bringing his emotional-support hog into public places. A regulation under the Americans with Disabilities Act, 42 U.S.C. § 12182, requires that public entities allow "service animals" such as dogs, but not hogs, to accompany people with disabilities. Mayle sued the City and others, alleging that they are violating his rights under the ADA and the Equal Protection Clause. The district court dismissed Mayle's complaint. It correctly reasoned that Mayle did not state a claim under the ADA, and the regulation that excludes hogs as service animals is rational, foreclosing his equal-protection claim. Thus we affirm.

Cezary Wojcik v. Cook County, Illinois No. 19-2893

Submitted April 29, 2020 — Decided April 29, 2020
Case Type: Civil
Northern District of Illinois, Eastern Division. No. 14-CV-4854 — **John J. Tharp, Jr.**, *Judge*.
Before ILANA DIAMOND ROVNER, *Circuit Judge;* AMY C. BARRETT, *Circuit Judge*; AMY J. ST. EVE, *Circuit Judge.*

ORDER
Despite a state court's order that Cezary Wojcik serve his jail sentence at a health center where he could receive treatment for his health conditions (which include seizures, diabetes, Parkinson's disease, and Alzheimer's disease), officials at Cook County Jail placed him in general population and failed to provide him his medications. Wojcik sued Cook County, the county sheriff, and several prison officials for the mix-up, contending that they ignored his serious medical needs in violation of the Eighth Amendment. But the district court entered summary judgment for the defendants, concluding that none knew about the court's order or deliberately ignored Wojcik's medical needs. We affirm.

USA v. Steven Collins No. 19-2654
Submitted April 29, 2020 — Decided April 29, 2020
Case Type: Criminal
Central District of Illinois. No. 06-CR-30073 — **Richard Mills**, *Judge*.
Before ILANA DIAMOND ROVNER, *Circuit Judge*; AMY C. BARRETT, *Circuit Judge*; AMY J. ST. EVE, *Circuit Judge.*

ORDER
The district court found that a criminal defendant fraudulently quitclaimed his interest in a property to Steven Collins and therefore entered a turnover order under the Federal Debt Collection Procedures Act. Collins appeals. We see no clear error in the district court's findings supporting the turnover order, so we affirm.

Stop Illinois Health Care Fraud v. Asif Sayeed No. 19-2635
Argued April 8, 2020 — Decided April 29, 2020
Case Type: Civil
Northern District of Illinois, Eastern Division. No. 1:12-cv-9306 — **Sharon Johnson Coleman**, *Judge*.
Before RIPPLE, BRENNAN, and SCUDDER, *Circuit Judges*.

SCUDDER, *Circuit Judge*. Stop Illinois Health Care Fraud, LLC brought a *qui tam* lawsuit against Management Principles, Inc. and some of its associates as well as the Healthcare Consortium of Illinois, alleging that they had an illegal referral practice that violated the Anti-Kickback Statute and, by extension, the federal and state False Claims Acts. The MPI defendants proceeded to a bench trial. At the close of the plaintiff's case, the district court entered judgment for the defendants, concluding that there was no evidence that MPI paid any renumeration with the intent to induce referrals. Stop Illinois Health Care Fraud appeals that judgment. The trial evidence plainly showed that MPI made monthly payments to HCI in return for access to the non-profit's client records and then used that information to solicit clients. The defendants contend that the arrangement constitutes a kick-back offered in exchange for a referral, and that the district court came to the contrary conclusion because it employed too narrow an understanding of a referral. Review of the district court's reasoning leaves us concerned that the court did not account for the evidence regarding MPI's solicitation of HCI clients, and we are unable to confirm that the court employed the proper definition of a proscribed referral. We therefore reverse and remand for further proceedings.

Renee Taylor-Reeves v. Marketstaff, Inc. No. 19-2620

Submitted April 29, 2020 — Decided April 29, 2020
Case Type: Civil
Northern District of Illinois, Eastern Division. No. 17 CV 5416 — **John Robert Blakey**, *Judge*.
Before ILANA DIAMOND ROVNER, *Circuit Judge*; AMY C. BARRETT, *Circuit Judge*; AMY J. ST. EVE, *Circuit Judge.*

ORDER
After she was fired for leaving work early for a medical appointment, Renee Taylor-Reeves sued for violations of her rights under Title VII of the Civil Rights Act of 1964 and 42 U.S.C. § 1981. The district court dismissed the action, and we affirm.

Gabriella Siler v. City of Kenosha, Wisconsin No. 19-1855
Argued November 8, 2019 — Decided April 29, 2020
Case Type: Civil
Eastern District of Wisconsin. No. 2:17-cv-01324 — **David E. Jones**, *Magistrate Judge*.
Before RIPPLE, ROVNER, and SYKES, *Circuit Judges*.

RIPPLE, *Circuit Judge*. Aaron Siler's estate and his daughter, Gabriella (collectively, "Ms. Siler"), brought this action in the district court against Officer Paul "Pablo" Torres ("Officer Torres"). Predicating their claims on 42 U.S.C. § 1983, they alleged that Officer Torres employed unconstitutionally excessive force when he shot and killed Mr. Siler. This confrontation took place after Officer Torres, following the orders of his dispatch, had attempted to apprehend Mr. Siler. Ignoring the Officer's orders, Mr. Siler ran and eventually sought cover in a garage where Officer Torres, who had given chase, confronted him. Ms. Siler also sought relief from the City of Kenosha pursuant to *Monell v. Department of Social Services*, 436 U.S. 658 (1978). The district court granted the defendants' motion to bifurcate the trial on the unreasonable force claim against Officer Torres from trial on the *Monell* claims against the City of Kenosha. Addressing first the claim against Officer Torres, the district court granted Officer Torres's motion for summary judgment on the ground of qualified immunity. It held that a genuine issue of triable fact prevented it from determining whether Officer Torres violated the Constitution. The court determined, however, that, at the time the Officer acted, there was no clear legal precedent that forbade his acting as he did. Invoking Rule 54(b) of the Federal Rules of Civil Procedure, the court then directed entry of a final judgment on its summary judgment decision in favor of Officer Torres. There has been no final judgment with respect to Ms. Siler's claims against the City of Kenosha. The plaintiffs timely filed their notice of appeal. The district court properly granted summary judgment to Officer Torres. On the first prong of the qualified immunity inquiry, however, we respectfully part company with the district court and hold, as a matter of law, that Officer Torres's action conformed to constitutional standards. On this basis, we affirm the grant of summary judgment.

Liliya Turubchuk v. Southern Illinois Asphalt Comp No. 18-3507
Argued September 25, 2019 — Decided April 29, 2020
Case Type: Civil
Southern District of Illinois. No. 3:12-cv-00594 — **Staci M. Yandle**, *Judge*.
Before RIPPLE, ROVNER, and BRENNAN, *Circuit Judges*.

BRENNAN, *Circuit Judge*. A fatal car crash in southern Illinois led to a personal injury lawsuit against the companies repaving the highway where the wreck occurred. That case settled, but plaintiffs later sued again, alleging the companies misrepresented their insurance coverage. In the second lawsuit a jury agreed with plaintiffs and re- turned a verdict for over $8 million. On appeal defendant Southern Illinois Asphalt Company asks us to reverse that verdict, arguing plaintiffs' claim was invalid and the second lawsuit was marred by a series of errors. Because the errors in this case significantly shaped the course of the proceedings,
we reverse the judgment and remand for further proceedings.

Kenneth Gering v. Paul Kemper No. 19-3409
Submitted April 30, 2020 — Decided April 30, 2020
Case Type: Prisoner
Eastern District of Wisconsin. No. 18-C-421 — **Lynn Adelman**, *Judge*.
Before FRANK H. EASTERBROOK, *Circuit Judge*; DIANE S. SYKES, *Circuit Judge*; AMY J. ST. EVE, *Circuit Judge.*

ORDER
Kenneth Gering, an inmate at Racine Correctional Institution in Wisconsin, suffers from back and foot pain. Although he was under regular care for these conditions, he sued prison officials alleging that they deliberately ignored these conditions in violation of the Eighth Amendment by not accelerating his treatment. The district court correctly entered summary judgment for the defendants because no evidence suggests that the pace of treatment was reckless, so we affirm.

City of Chicago v. William Barr Nos. 18-2885 & 19-3290
Argued April 10, 2019 — Submitted February 6, 2020 — Decided April 30, 2020
Case Type: Civil
Northern District of Illinois, Eastern Division. Nos. 1:17-cv-05720 & 1:18-cv-06859 — **Harry D. Leinenweber**, *Judge*.
Before BAUER, MANION, AND ROVNER, *Circuit Judges*.
MANION, *Circuit Judge*, concurring in the judgment in part and dissenting in part.

ROVNER, *Circuit Judge*. In this appeal from two consolidated cases, we consider for a second time the legality of conditions imposed by the Attorney General on the Edward Byrne Memorial Justice Assistance Grant Program ("Byrne JAG"). *See* 34 U.S.C. § 10151 et seq. (formerly 42 U.S.C. § 3750). Previously, the district court granted a preliminary injunction as to two conditions—known as the notice and access conditions—imposed by the Attorney General on the FY 2017 Byrne JAG grant applicants. We upheld the preliminary injunction and its nationwide scope in *City of Chicago v. Sessions*, 888 F.3d 272 (7th Cir. 2018) ("*Chicago I*")… Accordingly, we affirm the grants of declaratory relief as to the declarations that the Attorney General exceeded the authority delegated by Congress in the Byrne JAG statute, 34 U.S.C. § 10151 et seq., and in 34 U.S.C. § 10102(a), in attaching the challenged conditions to the FY 2017 and FY 2018 grants, and that the Attorney General's decision to attach the conditions to the FY 2017 and FY 2018 Byrne JAG grants violated the constitutional principle of separation of powers. In light of our determination as to the language in § 10153, it is unnecessary to reach the constitutionality of § 1373 under the anticommandeering doctrine of the Tenth Amendment. We affirm the district court's grant of injunctive relief as to the application of the challenged conditions to the Byrne JAG grant program-wide now and in the future, which included enjoining the Attorney General from denying or delaying issuance of the Byrne JAG award to grants in FY 2017, FY 2018, FY 2019 and any other future program year insofar as that denial or delay is based on the challenged conditions or materially identical conditions. We remand for the district court to determine if any other injunctive relief is appropriate in light of our determination that § 10153 cannot be used to incorporate laws unrelated to the grants or grantees. Finally, because the injunctive relief is necessary to provide complete relief to Chicago itself, the concern with improperly extending relief beyond the particular plaintiff does not apply, and therefore there is no reason to stay the application of the injunctive relief.

USA v. Adrian Cooper, Sr. No. 19-2473
Submitted April 29, 2020 — Decided April 30, 2020
Case Type: Criminal
Southern District of Illinois. No. 93-CR-30030-JPG-1 — **J. Phil Gilbert**, *Judge*.
Before ILANA DIAMOND ROVNER, *Circuit Judge;* AMY C. BARRETT, *Circuit Judge;* AMY J. ST. EVE, *Circuit Judge.*

ORDER
Several years after he was convicted of a cocaine-base ("crack") offense, Adrian Cooper moved jointly with the government for a reduction of his life sentence under the First Step Act, Pub. L. No. 115-391, § 404, 132 Stat. 5194, 5222 (2018). The district court granted the motion, but not to the extent he requested. Cooper appeals, and we affirm.

USA v. Michael Rees No. 19-2230
Argued February 12, 2020 — Decided April 30, 2020
Case Type: Criminal
Central District of Illinois. No. 18-cr-10033 — **Michael M. Mihm**, *Judge*.
Before BAUER, KANNE, and BARRETT, *Circuit Judges*.

KANNE, *Circuit Judge*. An investigation into online sharing of child pornography led law-enforcement officers to Michael Rees's residences and vehicle, where they executed search warrants and found child pornography. Charged with federal crimes, Rees moved to suppress the evidence found in the searches. A district court denied his motion, and Rees then pled guilty to the charges but reserved his right to appeal the suppression decision. Appealing that decision, Rees argues that the evidence was inadmissible because the warrants were invalid and the officers could not reasonably rely on them to conduct the searches.
We affirm for two reasons. First, the warrant-issuing judge had a substantial basis for concluding that there was a fair probability evidence of child-pornography crimes would be uncovered in the searches. And second, even if the warrants were invalid, the officers executed them in objective good faith.

Robert Williams v. Wexford Health Sources, Inc. No. 19-1018
Argued February 26, 2020 — Decided April 30, 2020
Case Type: Prisoner
Central District of Illinois. No. 17-cv-1466-JBM — **Joe Billy McDade**, *Judge*.
Before WOOD, *Chief Judge*, and ROVNER and BARRETT, *Circuit Judges*.
BARRETT, *Circuit Judge*, concurring in the judgment.

WOOD, *Chief Judge*. Wexford Health Sources, Inc., has a contract to provide medical services for Illinois's prisons. This case concerns the efforts of one inmate, Robert Williams, to obtain corrective surgery for cataracts during the time he was assigned to the Pontiac Correctional Center. In a word, those efforts were unavailing, because Wexford had a "one good eye" policy, under which it refused to approve surgery as long as the inmate retains some visual acuity in one eye. Williams filed grievances with the institutional authorities and followed up with this lawsuit. The district court found that his efforts to exhaust his prison remedies were incomplete, and so it dismissed the case. We conclude, however, that Williams did enough to satisfy the exhaustion requirements of the Prison Litigation Reform Act (PLRA), 42 U.S.C. § 1997e(a),
and so we remand for further proceedings.

USA v. Paul Heinrich No. 18-3198
Submitted April 30, 2020 — Decided April 30, 2020

Western District of Wisconsin. No. 03-cv-75-jdp — **James D. Peterson**, *Chief Judge*.
Case Type: Civil
Before FRANK H. EASTERBROOK, *Circuit Judge;* DIANE S. SYKES, *Circuit Judge*; AMY J. ST. EVE, *Circuit Judge*

ORDER
Over 15 years ago, the district court enjoined Heinrich to comply with a federal environmental order. Heinrich had built a road across wetlands on his property, violating the Clean Water Act. He did not comply with the Environmental Protection Agency's order to restore the land, so the United States sued to enforce that order. The district court permanently enjoined Heinrich to restore the wetlands, and we affirmed. *United States v. Heinrich*, 184 Fed App'x 542 (7th Cir. 2006). In 2018 Heinrich moved to reconsider the injunction under Federal Rule of Civil Procedure 60(b). He argued primarily that the district judge was prejudiced towards lawyers (like him) and this prejudice prevented him from presenting a defense. The district court denied Heinrich's Rule 60(b) motion as untimely and meritless. It explained that Rule 60(b) movants must file either one year after judgment or within a reasonable time, depending on the grounds asserted. Heinrich did neither. Moreover, the court explained, he should have raised his assertions of prejudice on direct appeal.
See Banks v. Chicago Bd. of Educ., 750 F.3d 663, 667 (7th Cir. 2014). On appeal Heinrich frivolously argues that the district court wrongly denied his Rule 60(b) motion… We have reviewed Heinrich's remaining arguments, and none has merit. AFFIRMED

Anthony Taylor v. J.P. Morgan Chase Bank, N.A. No. 17-3019
Argued September 5, 2019 — Decided April 30, 2020
Case Type: Civil
Northern District of Indiana, Hammond Division at Lafayette.No. 4:16-cv-52 — **Rudy Lozano**, *Judge*.
Before SYKES, HAMILTON, and SCUDDER, *Circuit Judges*.
HAMILTON, *Circuit Judge*, dissenting.

SCUDDER, *Circuit Judge*. Anthony Taylor is one of many homeowners who fell behind on their mortgage payments during the 2008 subprime mortgage crisis and sought help under the Home Affordable Mortgage Program. HAMP was a Treasury Department program that allowed eligible home- owners to reduce their monthly mortgage payments in an effort to avoid foreclosure. The first step toward a permanent loan modification was for qualifying borrowers to enter into a Trial Period Plan with their lenders and make lower payments on a provisional basis. Taylor's lender, JPMorgan Chase, informed him of the HAMP opportunity and sent him a proposed TPP agreement to be signed and returned to the bank to get the process started. That agreement contained a provision stating that the trial period would not begin until both parties signed the TPP and Chase then returned to Taylor a copy bearing its signature. Taylor signed the proposed agreement, but Chase never did, and Taylor's loan was never modified. Taylor later sued Chase, contending that the bank failed to honor its loan-modification offer. The district court found that the facts as Taylor had alleged them in his complaint and a later proposed amended complaint did not suffice to state a claim, so it granted judgment on the pleadings for Chase and denied as futile Taylor's request to amend the complaint. The key shortcoming on the breach of contract claim, the district court concluded, was Taylor's failure to allege that Chase had signed and returned a copy of the TPP—a condition precedent to enrolling him in the trial period. We agree and affirm.

Michael Stampley v. Altom Transport, Inc. No. 19-3154
Submitted April 9, 2020 — Decided May 1, 2020
Case Type: Civil
Northern District of Illinois, Eastern Division. No. 14-cv-03747 — **Manish S. Shah**, *Judge*.
Before BAUER, FLAUM, and KANNE, *Circuit Judges*.

FLAUM, *Circuit Judge*. This case demonstrates the wisdom of the old Russian proverb popularized by President Reagan: “Trust, but verify.” Michael Stampley, the owner-operator of a tractor-trailer, provided hauling services for Altom Transport, Inc. Altom agreed to pay Stampley 70% of the “gross” revenues that it collected for each load he hauled. Altom also agreed to give Stampley a copy of the “rated freight bill” or a “computer-generated document with the same information” to prove that it had properly paid Stampley for each load. Importantly, the contract granted Stampley the right to examine any underlying documents used to create a computer-generated document. Regardless of whether Stampley exercised that right, however, the contract required him to bring any dispute regarding his pay within thirty days. Several years after he hauled his last load for Altom, Stampley filed a putative class action lawsuit alleging that Altom had shortchanged him and similarly situated drivers by not paying them a portion of the gross revenues it had collected on their loads. The district court eventually certified a class and held that Altom’s withholdings had indeed violated the terms of the contract. However, concerned that the provision requiring all contests to his pay be made within thirty days would bar his claim, Stampley moved for summary judgment on that issue before the class received notice. The district court subsequently denied Stampley’s motion for summary judgment and granted Altom’s motion to decertify the class. It also later granted Altom’s motion for summary judgment and held that Stampley’s individual claims were barred. Stampley now appeals both the district court’s decertification order and the entry of summary judgment for Altom. For the reasons explained below, we affirm.

Molson Coors Beverage Company v. Anheuser-Busch Companies, LLC Nos. 19-2200, 19-2713, 19-2782, 19-3097 & 19-3116
Argued September 23, 2019, and April 28, 2020 — Decided May 1, 2020
Case Type: Civil
Western District of Wisconsin. No. 19-cv-218-wmc — **William M. Conley**, *Judge*.
Before EASTERBROOK, HAMILTON, and ST. EVE, *Circuit Judges*.

EASTERBROOK, *Circuit Judge*. Bud Light, Miller Lite, and Coors Light are the best-selling light beers in the United States. Bud is made by Anheuser-Busch, Miller and Coors by Molson Coors (called MillerCoors when this case began). The beers’ producers regularly a]ack each other in print and televised campaigns. For example, Miller is touted with the slogan “Tastes Great, Less Filling”. Early in 2019 Anheuser- Busch began to advertise that Bud Light is made using rice, while Miller Lite and Coors Light use corn syrup as a source of sugar that yeast ferments into alcohol. Molson Coors responded in the market and in court. In the market it advertised that its beers taste better *because of* the difference between rice and corn syrup (which, it added, differs from the high-fructose corn syrup used to sweeten soft drinks and other consumer products). In court it contended that Anheuser-Busch violates §43 of the Lanham Act, 15 U.S.C. §1125, by implying that a product made *from* corn syrup also *contains* corn syrup. The district judge’s initial opinion concluded that Anheuser-Busch is free to advertise that Bud Light is made using rice while Molson Coors’s products are made using corn syrup. *MillerCoors, LLC v. Anheuser-Busch Cos*., 385 F. Supp. 3d 730 (W.D. Wis. 2019). The judge added, however, that Anheuser-Busch cannot say or imply anything that would cause consumers to think that its rival’s products *contain* corn syrup. The opinion ended with a statement that most but not all of Anheuser-Busch’s advertising is proper. Mol- son Coors appealed; Anheuser-Busch did not. While the appeal was pending, the district judge issued a new order, purporting to amend the existing one, forbidding Anheuser-Busch from using point-of-sale packaging with the language “no corn syrup” or an equivalent icon. 2019 U.S. Dist. LEXIS 149954 (W.D. Wis. Sept. 4, 2019). Anheuser-Busch appealed from that order. Two days later the district judge modified the modification, 2019 U.S. Dist. LEXIS 152559 (W.D. Wis. Sept. 6, 2019), and Anheuser-Busch appealed again… The judgment is affirmed to the extent that it denies Molson Coors’s request for an injunction (and is challenged in Molson Coors’s two appeals) and reversed to the extent that the Bud Light advertising or packaging has been enjoined (and is challenged in Anheuser-Busch’s three appeals). To the extent that the injunction prevents Anheuser-Busch from stating that Miller Lite or Coors Light “contain” corn syrup, it is vacated. (Because Anheuser-Busch has never stated this, or said that it wants to do so, that aspect of the order is advisory.) The case is remanded to the district court for further proceedings consistent with this opinion. The first issue on remand will be whether any question remains for trial, or whether our decision instead wraps up the proceedings.

Tom Tuduj v. Steven Newbold No. 19-1699
Submitted April 30, 2020 — Decided May 1, 2020
Case Type: Prisoner
Southern District of Illinois. No. 15-CV-1294-NJR-GCS — **Nancy J. Rosenstengel**, *Chief Judge*.
Before EASTERBROOK, SYKES, and ST. EVE, *Circuit Judges*.

PER CURIAM. Tom Tuduj, an Illinois prisoner, received the privilege of court-recruited counsel in this deliberate-indifference suit under 42 U.S.C. § 1983 about his dental care. After counsel amended his complaint to comply with the Federal Rules, staved off summary judgment for failure to exhaust, and opposed another motion for summary judgment, Tuduj asked to litigate pro se, unless his case was going to survive summary judgment. Because the district court permissibly denied his equivocal request, we affirm.

USA v. Anthonette Strowder No. 19-1535
Submitted April 30, 2020 — Decided May 1, 2020
Case Type: Criminal
Southern District of Illinois. No. 17-CR-30120-NJR-01 — **Nancy J. Rosenstengel**, *Chief Judge*.
Before FRANK H. EASTERBROOK, *Circuit Judge*; DIANE S. SYKES, *Circuit Judge*; AMY J. ST. EVE, *Circuit Judge.*

ORDER
Anthonette Strowder pleaded guilty to several drug-possession and distribution charges, *see* 21 U.S.C. § 841(a)(1), and the district court declined to release her on bond before sentencing. Almost immediately afterward, she sought to withdraw the plea. The court denied her motion, stating that Strowder had "reacted impulsively" when she learned she would be detained, and later sentenced her to 240 months' imprisonment. Strowder appeals, but counsel asserts that the appeal is frivolous and moves to withdraw under *Anders v. California*, 386 U.S. 738 (1967). Strowder opposes counsel's motion. *See* CIR. R. 51(b). Counsel's brief explains the nature of the case and addresses potential issues that an appeal of this kind might involve. Because the analysis appears thorough, we limit our review to the subjects that counsel discusses and those in Strowder's response. *See United States v. Bey*, 748 F.3d 774, 776 (7th Cir. 2014). We grant the motion and dismiss the appeal.

Walter Thompson v. Timothy Bukowski No. 18-3009
Submitted April 30, 2020 — Decided May 1, 2020
Case Type: Prisoner
Central District of Illinois. No. 16-2390-CSB — **Colin S. Bruce**, *Judge*.
Before FRANK H. EASTERBROOK, *Circuit Judge;* DIANE S. SYKES, *Circuit Judge;* AMY J. ST. EVE, *Circuit Judge.*

ORDER
Detainee Walter Thompson sued three jail administrators for violating his right to practice his religion freely. His complaint included claims against other defendants, which the district court dismissed at screening for being "wholly unrelated" to the religious-freedom claims. *See* FED. R. CIV. P. 20(a)(2). The court entered summary judgment for the defendants, concluding that Thompson lacked evidence that his religious freedom was substantially burdened. Because Thompson's transfer to a new facility mooted his statutory claim for injunctive relief, we vacate the judgment as to that claim and remand with instructions to dismiss it as moot. *See United States v. Munsingwear, Inc*., 340 U.S. 36, 39 (1950). We affirm in all other respects.
