

Chronological Case Summary

Case No. 46C01-1408-CT-001595

Ronald Felder vs. Commissioner Bruce Lemmon, et al

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Case Type: CT - Civil Tort

Date Filed: 08/22/2014

Location: LaPorte Circuit Court

Related Case Information

Related Cases

46A03-1510-CT-01786 (Lower Trial Court Case)

46A04-1601-CT-00219 (Lower Trial Court Case)

Party Information

Attorneys

Defendant **Commissioner Bruce Lemmon**
302 W. Washington Street
Indianapolis, IN 46204

Sara Teresa Martin
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302 West Washington St.
IGCS 5th Floor
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317-232-5921(W)

Gregory F Zoeller
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317-232-8069(W)

Kelly Jean Pautler
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302 W. Washington St.
Indianapolis, IN 46204

317-232-0484(W)

Defendant

Ofc. A. Steward

Visited 02/17/2016

One Park Row
Indiana State Prison
Michigan City, IN 46360

Defendant **Ofc. M. Razo**
Indiana State Prison
One Park Row
Michigan City, IN 46360

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Defendant **Superintendent William Wilson**
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One Park Row
Michigan City, IN 46360

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317-232-0484(W)

Plaintiff **Felder, Ronald C.** **Pro Se**

One Park Row
Indiana State Prison
DOC# 964201
Michigan City, IN 46360
Other Agency Numbers
964201 Indiana Department of
Correction

Events & Orders of the Court

- 08/22/2014** | **Case Opened as a New Filing**
- 08/22/2014** | **Complaint/Equivalent Pleading Filed**
Filed By: Felder, Ronald C.
File Stamp: 08/22/2014
- 08/22/2014** | **Petition Filed**
Petition for an Order Waiving Filing Fees and Court Costs filed.
Filed By: Felder, Ronald C.
File Stamp: 08/22/2014
- 08/22/2014** | **Affidavit Filed**
Affidavit of Indigency and Copy of Transaction History Report filed.
Filed By: Felder, Ronald C.
File Date: 08/22/2014
- 08/27/2014** | **Order Issued**
Pursuant to IC 33-37-3-3, Court grants partial fee waiver. Petitioner to pay sum of \$1.13 within 45 days or matter may be dismissed.
Order Signed: 08/27/2014
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- 10/14/2014** | **Petition Filed**
PETITION TO REQUEST AN ORDER TO WAIVE THE FULL FILING FEES AND COURT COSTS (SENT UPSTAIRS)
Filed By: Felder, Ronald C.
File Stamp: 10/14/2014
- 10/17/2014** | **Order Granting Motion for Fee Waiver** (Judicial Officer: Alevizos, Thomas J)
Plaintiff's Motion to Waive Filing Fees GRANTED.

Visited 02/17/2016

- 10/29/2014** **Order Signed:** 10/17/2014
Service Issued
Service issued via Cert. Mail according to Summons provided.
Requested By: Felder, Ronald C.
Serve To: Commissioner Bruce Lemmon
Serve To: Ofc. A. Steward
Serve To: Ofc. M. Razo
Serve To: Superintendent William Wilson
Issued: 10/29/2014
- 11/10/2014** **Certified Mail Returned**
Commissioner Bruce Lemmon Ind Dept of Corrections 302 West Washington Indianapolis In 46204 - BY Leslie A Allen
Date Signed: 11/05/2014
- 11/10/2014** **Certified Mail Returned**
Indiana State Prison One Park Row Michigan City, In 46360 - BY S Conley
Party Served: Ofc. M. Razo
Date Signed: 11/03/2014
- 11/10/2014** **Certified Mail Returned**
Superintendent William Wilson - Indiana State Prison - One Park Row - Michigan City, In 46360 - BY S Conley
Date Signed: 11/03/2014
- 11/10/2014** **Certified Mail Returned**
Officer A Steward - Indiana State Prison - One Park Row- Michigan City, In 46360 - BY S Conley
Date Signed: 11/03/2014
- 11/12/2014** **Service Returned Not Served**
Service returned. Officer A. Steward no longer employed by Indiana State Prison.
Pty Not Svd: Ofc. A. Steward
File Stamp: 11/05/2014
- 12/02/2014** **Appearance Filed**
Deputy Attorney General Sara T. Martin enters appearane for Commissioner Bruce Lemmon, Superintendent William Wilson, Officer M Razo
For Party: Commissioner Bruce Lemmon
For Party: Ofc. M. Razo
For Party: Superintendent William Wilson
File Stamp: 11/24/2014
- 12/02/2014** **Motion for Enlargement of Time Filed**
Filed By: Commissioner Bruce Lemmon
Filed By: Martin, Sara Teresa
Filed By: Ofc. M. Razo
Filed By: Pautler, Kelly Jean
Filed By: Superintendent William Wilson
Filed By: Zoeller, Gregory F
File Stamp: 11/24/2014
- 12/10/2014** **Order Granting Motion for Enlargement of Time**

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Motion for Enlargement of Time Granted. Defendants, Bruce Lemmon, William Wilson and Officer M. Razo, shall have up to and including 12-26-14 to respond.

Movant: Martin, Sara Teresa

Served: Felder, Ronald C.

Order Signed: 12/05/2014

12/30/2014 Motion to Dismiss Filed

Sara T. Martin, Deputy Attorney General, files State Defendants' Motion to Dismiss, Memorandum in Support of State Defendants' Motion and proposed Order.

Filed By: Commissioner Bruce Lemmon

Filed By: Martin, Sara Teresa

Filed By: Ofc. M. Razo

Filed By: Superintendent William Wilson

File Stamp: 12/29/2014

02/02/2015 Correspondence to/from Court Filed

Plaintiff requests CCS. Forwarded on 2-2-15.

Filed By: Felder, Ronald C.

File Stamp: 01/30/2015

02/10/2015 Request for Records

Ronald C Felder Requests Copy of the CCS - CCS to Plaintiff

File Stamp: 01/30/2015

02/17/2015 Motion for Leave to Amend Filed

Plaintiff's Motion for Leave to Amend complaint - Seeking First Amendment

Filed By: Felder, Ronald C.

File Stamp: 02/17/2015

02/17/2015 Motion for Appointment Filed

Plaintiff's First Motion for Appointment of Counsel

Filed By: Felder, Ronald C.

File Stamp: 02/17/2015

02/19/2015 Motion for Enlargement of Time Filed

Plaintiff files Motion for an Extension of Time to Reply in Opposition to State Defendants Motion to Dismiss. Forward to Judge for Consideration.

Filed By: Felder, Ronald C.

File Stamp: 02/18/2015

02/24/2015 Order Issued

Order of Dismissal - It is Therefore further Ordered and Decreed that the Matter is Hereby Dismissed

Order Signed: 02/19/2015

03/05/2015 Motion Filed

Plaintiff's Motion to Reconsider

Filed By: Felder, Ronald C.

File Stamp: 03/05/2015

03/06/2015 Order Issued (Judicial Officer: Alevizos, Thomas J)

Upon consideration of Plaintiff's Motion to Reconsider, the Court finds that Plaintiff has satisfied the notice requirement under the ITCA, that the IDOC is not immune from liability under the ITCA, and that a ruling on the issue of exhaustion of administrative remedies cannot be made absent a hearing. IT IS THEREFORE,

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ORDERED, ADJUDGED AND DECREED by the Court that the effect of this Court's Order of Dismissal dated February 19, 2015 is STAYED pending Hearing on the Issue of Exhaustion of Administrative Remedies.

Order Signed: 03/06/2015

03/06/2015 Order for Hearing (Judicial Officer: Alevizos, Thomas J)

The Court, having taken into consideration Plaintiff's Motion to Reconsider, now sets the matter for Hearing on the Issue of Exhaustion of Administrative Remedies for Monday, March 30, 2015, at 9:00 a.m. CST for a one (1) hour setting. ISP to transport Plaintiff Felder, Defendant IDOC may appear via CourtCall.

Order Signed: 03/06/2015

03/13/2015 Hearing Scheduling Activity

Hearing scheduled for 03/30/2015 at 9:00 AM.

03/30/2015 Hearing (9:00 AM) (Judicial Officer Alevizos, Thomas J)

Issue of Exhaustion of Administrative Remedies

03/30/2015 Motion to Correct Error Filed

Motion to Correct Error

Filed By: Martin, Sara Teresa

File Stamp: 03/26/2015

05/20/2015 Correspondence to/from Court Filed

Plaintiff files correspondence. Copy of Motion to Dismiss.

Filed By: Felder, Ronald C.

File Stamp: 05/20/2015

05/28/2015 Motion Filed

Motion for Status Update

Filed By: Felder, Ronald C.

File Stamp: 05/28/2015

07/06/2015 Order Denying (Judicial Officer: Alevizos, Thomas J)

Denies motion to reconsider. Plaintiff failed to give notice w/in 180 days after loss occurred. Therefore, this Court has lack of jurisdiction over this matter.

Order Signed: 07/02/2015

07/09/2015 Order Issued

Order - It Is Therefore Ordered, Adjudged and Decreed by the Court that Plaintiff's Motion to Reconsider is DENIED

Order Signed: 07/02/2015

07/10/2015 Correspondence to/from Court Filed

Plaintiff files Motion for Lazy Judge. Forward to Court.

Filed By: Felder, Ronald C.

File Stamp: 06/29/2015

07/15/2015 Motion Filed

Plaintiff's Second Motion to Reconsider

Filed By: Felder, Ronald C.

File Stamp: 07/15/2015

09/30/2015 Motion Filed

Plaintiff files Motion for Status Update.

Filed By: Felder, Ronald C.

Visited 02/17/2016

- 11/23/2015** **File Stamp:** 09/28/2015
Notice of Appeal Received
Copy to all parties of record via Cert. Mail.
Filed By: Felder, Ronald C.
File Stamp: 10/23/2015
- 11/23/2015** **Order Denying Motion to Reconsider** (Judicial Officer: Alevizos, Thomas J)
AGAIN- denying Plaintiff's second motion to reconsider. First motion to reconsider was properly denied, although the reasoning for original denial was an error, the denial was proper. The correct reasoning is because Plaintiff did not exhaust all administrative remedies at the IDOC, as he did not attempt to appeal there before bringing a claim with this Court. Therefore, this Court has no jurisdiction. Denied.
Order Signed: 11/23/2015
- 12/09/2015** **Certified Mail Returned**
Sara Teresa Martin, Office of the Atty General 302 West Washington St Ind Gov Center South Indianapolis In 46204 - BY Brenda Mahana
Date Signed: 11/30/2015
- 12/09/2015** **Certified Mail Returned**
#964201 Indiana State Prison One Park Row Michigan City, In 46360 - BY S Conley
Party Served: Felder, Ronald C.
Date Signed: 11/30/2015
- 12/09/2015** **Certified Mail Returned**
Gregory Zoeller, Atty General Ind Gov Center South 302 West Washington St Indianapolis In 46204- BY Sue Gabriel
Date Signed: 11/30/2015
- 12/09/2015** **Certified Mail Returned**
Kevin Smith, Clerk Indiana Court Appeals 200 West Washington St State House, Room 216 Indianapolis In 46204 (Stamped) Clerk of the Courts
Date Signed: 11/30/2015

Please note that any Balance Due does not reflect interest that has accrued since the last payment.