IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BOBBY LEE COIL,

Plaintiff,

v.

KEVIN A. CARR, JOHN DOE #1, BRIAN FOSTER, DR. TORRIA M. VANBUREN, DR. DEVONA M. GRUBER, JOHN DOE #2, SGT. JOSEPH BEAHM, and C.O. COOK,

Defendants.

OPINION AND ORDER

19-cv-861-wmc

Pro se plaintiff Bobby Lee Coil has filed a complaint under 42 U.S.C. § 1983 against several Wisconsin Department of Corrections ("DOC") employees, alleging deliberate indifference to his act of self-harm. Coil has also filed a motion for assistance in recruiting counsel. (Dkt. #10.) Coil's complaint is now ready for screening as required by 28 U.S.C. § 1915A.[1] For the reasons that follow, the court will (1) grant Coil leave to proceed on his Eighth Amendment claims against some of the named defendants, and (2) deny without prejudice his motion for assistance in recruiting counsel at this time.

ALLEGATIONS OF FACT[2]

Now an inmate at Columbia Correctional Institution ("CCI"), Coil was incarcerated

[1] Coil has since filed a motion to amend, attaching a proposed amendment to paragraphs 11 through 17. (Dkt. #7.) At this stage, Federal Rule of Civil Procedure 15(a) does not require plaintiff to seek leave of court to amend his complaint, so that motion will be granted. Accordingly, the court will consider plaintiff's proposed amendments together with his original pleading under advisement for purposes of screening as required by 28 U.S.C. § 1915A.

[2] In addressing any *pro se* litigant's complaint, the court must read the allegations generously. *Haines v. Kerner*, 404 U.S. 519, 521 (1972). For purposes of this order, the court assumes the following facts viewing the allegations in plaintiff's complaint and supplement in a light most favorable to

at Waupun Correctional Institution ("WCI") for the period of time relevant to his complaint. He seeks leave to proceed against DOC Secretary Kevin A. Carr, WCI Warden Brian Foster, and John Doe #1 (the DOC supervisor for all psychological services unit ("PSU") staff). Coil would also proceed against certain WCI staff, including PSU Supervisor Dr. Torria M. VanBuren, psychologist Dr. Devona M. Gruber, Sergeant Joseph Beahm, Correctional Officer Cook, and Correctional Officer John Doe #2.

Coil alleges that all defendants have long known from media coverage and prisoner complaints, as well as personal observation, that housing any prisoner in solitary confinement "offends contemporary standards of decency," but that housing *mentally ill* prisoners in solitary confinement specifically creates a serious risk of deteriorating mental health and increased acts of self-harm. (Dkt. #1 at 2.) Despite this knowledge, Coil alleges that defendants routinely minimize the severity of prisoners' mental health issues and the injuries that result from self-abuse while in restrictive housing.

Coil himself suffers from attention deficit hyperactivity disorder, depression, and borderline personality disorder. He also alleges a lengthy history of self-harm, noting that while he was incarcerated at the Wisconsin Secure Program Facility ("WSPF"), his acts of self-abuse became more frequent and severe beginning in 2011. Following a nearly successful attempted suicide in May of 2015, Coil was transferred to the Wisconsin Resource Center, where it was determined that he was too mentally ill to return to restrictive housing at WSPF. Coil was later transferred to WCI.

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him, unless otherwise noted below.

Coil's claim in this lawsuit arises from an incident that took place on May 23, 2019, at WCI. At 9:45 a.m., Coil told a correctional officer that he was suicidal. Following that report, Dr. Devona M. Gruber had Coil placed in an observation cell at 10:04 a.m. Even so, Coil alleges, Dr. Gruber knew he remained a danger to himself even in the "barren [observation] cell" given her awareness of Coil's and other inmates' history of self-harm even while on observation status.

Approximately 15 minutes after placement in the observation cell, Coil found a piece of plastic or plexiglass in his cell, and he began to cut himself with it. Coil then smeared his blood on the cell's windows, floor, and on the lens of the in-cell camera. Correctional Officer Cook was the "15 min. checker" that day in observation, but allegedly took no action, even after seeing "all the blood" indicating Coil was cutting himself. To the contrary, Officer Cook allegedly remarked that it was good Coil "found the glass," then encouraged Coil to "cut an artery." (Dkt. #7-1 at 3.)

At around 1:15 p.m., almost three hours after he first started bleeding, Coil allegedly told defendant Correctional Officer John Doe #2 via intercom that he was cutting himself. Even though Coil had covered the in-cell camera lens with blood, he alleges that Doe #2 would have been able to see him on the television monitor in the restrictive housing unit control room where Doe #2 was stationed. Nevertheless, Doe #2 failed to make an emergency call for help.

Finally, at 1:30 p.m., Officer Cook allegedly told defendant Sergeant Joseph Beahm that Coil was cutting himself. Cook then reported to Coil that instead of intervening, seeking medical or psychiatric care, or restraining Coil, Sergeant Beahm had simply

remarked that Coil should "wait 'til 2nd shift to kill [himself]." (Dkt. #1 at 5.)

Several hours after placing Coil on observation status, Dr. Gruber also allegedly visited Coil in his cell and accused him of "just seeking attention" and of "making [the] staff's job hard." (Dkt. #7-1 at 4.) According to Coil, Dr. Gruber then misrepresented in his medical file that Coil cut himself due to ongoing conflicts with staff rather than out of an uncontrollable urge to hurt himself, and falsely claimed that there had been no active bleeding and only a small laceration. Similarly, Coil alleges that Dr. Torria M. VanBuren disingenuously wrote in response to Coil's psychology services request form about this cutting incident that Coil "stated he would not engage in further self-harm, as such, no restraints were initiated." (Dkt. #7-1 at 5.)

In contrast, Coil allegedly told defendant Sergeant Beahm that he would continue to cut himself unless strapped down, to which Beahm allegedly replied that Coil should "[g]o ahead," as he did not care. Moreover, according to Coil, Sergeant Beahm has "an outrageously long and severe history of being abusive towards" prisoners in restrictive housing, "including breaking prisoners' bones and allowing [or] urging a prisoner to fatally hang himself in 2013." (Dkt. #1 at 5.) Coil further claims that Warden Foster is aware of this history but has left Beahm in a position to continue abusing and antagonizing prisoners in restrictive housing.

Although it is unclear when that day, Coil was later treated for his self-inflicted wounds. Medical staff used medical glue and steri-strip adhesive bandages to close a laceration on his left forearm, leaving a "grotesque scar." (Dkt. #1 at 6.) Coil alleges that he lost enough blood to "paint the windows, walls, camera and floor of his cell," causing

him to feel dizzy and nauseated. (Dkt. #1 at 6.)

OPINION

The court understands plaintiff to now be contending that all defendants showed deliberate indifference to a substantial risk of harm by placing him in restrictive housing or on observation status at WCI. Then, when plaintiff engaged in self-harm on May 23, he further alleges that certain defendants did nothing to stop him and failed to provide adequate medical care. For both acts of deliberate indifference, Coil seeks compensatory and punitive damages, as well as his costs, and an injunction prohibiting any future placement in restrictive housing.

The court will analyze plaintiff's proposed claims under the Eighth Amendment, then turn to his pending motion for assistance in recruiting counsel.

I. Deliberate Indifference to Risks of Placement in Restrictive Housing or Observation Status for Plaintiff Generally

Plaintiff alleges that defendants were deliberately indifferent to "the danger that . . . restrictive housing posed" to plaintiff generally. (Dkt. #1 at 6.) In support, he asserts that defendants were all aware via media reports, court decisions, and the experiences of "many other prisoners" that placing mentally ill inmates in restrictive housing poses a serious risk to their mental health and could result in more acts of self-harm. (Dkt. ##1 at 2, 7-1 at 1.) However, the court cannot draw the necessary inferences from these general allegations to allow plaintiff to proceed on this claim against all defendants.

Certainly, prison officials may violate the Eighth Amendment if they knowingly

deprive a prisoner of the minimal civilized measure of life's necessities or subject a prisoner to a substantial risk of serious harm. *Gillis v. Litscher*, 468 F.3d 488, 491 (7th Cir. 2006). And significant self-harm, such as attempted suicide, constitutes "serious harm." *See Minix v. Canarecci*, 597 F.3d 824, 831 (7th Cir. 2010). However, deliberate indifference to a risk of self-harm is only present when an official is subjectively "aware of the significant likelihood that an inmate may imminently" harm himself, yet "fail[s] to take reasonable steps to prevent the inmate from performing the act." *Pittman ex rel. Hamilton v. County of Madison, Ill.*, 746 F.3d 766, 775-76 (7th Cir. 2014) (alteration in original) (citations omitted); *see also Rice ex rel. Rice v. Correctional Medical Services*, 675 F.3d 650, 665 (7th Cir. 2012) ("[P]rison officials have an obligation to intervene when they know a prisoner suffers from self-destructive tendencies.").

At least under current law, plaintiff's allegation that defendants knew of a generalized risk posed to mentally ill inmates by placement in restrictive housing is not enough by itself to support an inference of any defendant's deliberate indifference to this plaintiff. As an initial matter, to support a claim under 42 U.S.C. § 1983, plaintiff must specifically allege an actual connection or link between the actions of an individual defendant and the alleged constitutional deprivation. *See Minix v. Canarecci*, 597 F.3d 824, 833-34 (7th Cir. 2010) ("individual liability under § 1983 requires personal involvement in the alleged constitutional violation") (citation omitted). For that reason, a prison official cannot be held liable solely by virtue of his or her supervisory role. *Zimmerman v. Tribble*, 226 F.3d 568, 574 (7th Cir. 2000) (rejecting § 1983 actions against individuals merely for their supervisory role over others). This is reason enough to deny plaintiff leave to proceed

against defendants Kevin A. Carr and John Doe #1, as the complaint includes no specific allegations tying either of these individual defendants to the alleged unconstitutional conduct.

Moreover, plaintiff's assertions about the risks posed by restrictive housing or observation status, however, do not speak to which defendants could and did place him in restrictive housing or could control the conditions there, or to whom plaintiff complained about his placement in WCI restrictive housing. Accordingly, the court will not grant plaintiff leave to proceed against the other defendants on the theory that *any* placement in restrictive housing or observation status constitutes deliberate indifference.

That said, plaintiff has alleged that Dr. Gruber and Warden Foster *had* personal involvement in the alleged May 23 incident, so the court turns to whether plaintiff's allegations support Eighth Amendment deliberate indifference claims against them. Specifically, plaintiff claims Dr. Gruber placed him on observation status despite knowing he would remain a danger to himself, particularly given his and other inmates' histories of self-harm while on observation.

As an initial matter, plaintiff has not alleged facts supporting a reasonable inference that placement in restrictive housing or on observation status alone posed a risk of substantial harm. Not only are plaintiff's allegations about restrictive housing or observation status vague, but he alleges little more than the fact that prisoners in restrictive housing are subjected to segregation-like conditions, which have substantially detrimental effects. Plaintiff does not include specific, factual allegations explaining how the conditions in restrictive housing at WCI aggravate his (or a similarly-situated inmate's) tendencies to

self-harm. *See Jones 'El v. Berge*, No. 00-C-421-C, 2000 WL 34237510, at *2, 6 (W.D. Wis. Sept. 25, 2000) (allegations in the complaint regarding the harmful effects of certain specific conditions in solitary confinement at a Supermax correctional institution and at WCI). Without question restrictive housing can pose unique challenges for mentally ill inmates, but a trier of fact cannot reasonably infer from allegations of a generalized awareness of those challenges *alone*, that these defendants knew placing plaintiff in an observation unit at WCI would put plaintiff at a risk of self-harming "so great that it [was] almost certain to materialize if nothing [was] done." *Brown v. Budz,* 398 F.3d 904, 911 (7th Cir. 2005) (defining substantial risk of serious harm); *cf. Smith v. Sangamon Cty. Sheriff's Dep't,* 715 F.3d 188, 192 (7th Cir. 2013) ("Complaints that convey only a generalized, vague, or stale concern about one's safety typically will not support an inference that a prison official had actual knowledge that the prisoner was in danger.")[3]

Moreover, the *possibility* that someone could still manage acts of self-harm, even after being placed in what plaintiff describes as a "barren" cell and on a fifteen-minute observation status structured to *prevent* self-harm does not permit a reasonable inference that Dr. Gruber's personal decision to place him on such status constituted evidence of deliberate indifference to a substantial, imminent risk plaintiff would self-harm. Thus, without more specific allegations about known observation status deficiencies at WCI, or of plaintiff's history of self-harm on observation status, a trier of fact cannot reasonably infer that Dr. Gruber's decision to place plaintiff on that status in response to his report of

[3] Even if such an inference were deemed reasonable, any award of the monetary damages that plaintiff seeks here would be bound by the doctrine of qualified immunity, given the absence of any controlling case law approving such a basis for general liability.

suicidal ideation was unreasonable, much less evidence of deliberate indifference to his risk of self-harm. Accordingly, plaintiff may not proceed based on that decision alone.[4]

Finally, in contrast, though a close question, plaintiff may proceed against defendant Brian Foster on his specific claim that Foster knew defendant Sergeant Beahm had been accused of breaking inmates' bones and of urging a prisoner to hang himself in 2013, but continued to allow Beahm to work in the restrictive housing unit when Coil committed acts of self-harm in 2019. Because Foster allegedly turned a blind eye to the risk Beahm posed, plaintiff claims that he acted with deliberate indifference to the risk that Beahm would continue to antagonize and encourage self-harm by prisoners, including him. In fairness, the complaint does not allege more recent abuse of prisoners by Beahm that would suggest an ongoing problem with the sergeant when the alleged events underlying this lawsuit took place, but the court will resolve that ambiguity in plaintiff's favor at this early stage. Regardless, considering the alleged severity of Beahm's earlier acts in the light

[4] Again, qualified immunity would also bar plaintiff's monetary relief from Dr. Gruber on her decision to move plaintiff to observation status. As explained below, however, plaintiff will be allowed to proceed against Dr. Gruber on a claim of deliberate indifference to medical needs claim Plaintiff further alleges that defendants Dr. Gruber and Dr. VanBuren misrepresented aspects of the May 23 incident after the fact in keeping with a "custom" of minimizing the severity of restrictive housing inmates' mental health issues and self-inflicted injuries. (Dkt. ##1 at 5-6, 7-1 at 2.) To the extent plaintiff wishes to state a claim under § 1983 for constitutional deprivations based upon customs or policies pursuant to *Monell v. Dep't of Soc. Serv. of City of New York*, 436 U.S. 658 (1978), he cannot because "*Monell*'s holding applies only to municipalities and not states or states' departments." *Joseph v. Bd. of Regents of Univ. of Wisconsin Sys.*, 432 F.3d 746, 748-49 (7th Cir. 2005); *see also Will v. Mich. Dep't of State Police*, 491 U.S. 58, 70 (1989) ("[W]e consequently limited our holding in *Monell* to local government units which are not considered part of the state for Eleventh Amendment purposes."). To the extent plaintiff would rely on these allegations in support of a deliberate indifference claim against these two defendants, they are not helpful because the alleged post-incident misrepresentations do not speak to how either doctor caused or contributed the alleged constitutional violation, nor does plaintiff link this alleged conduct to his tendency to self-harm.

most favorable to plaintiff, plaintiff has sufficiently alleged facts permitting a reasonable jury to infer that Foster knew Beahm posed an ongoing risk of harm to all restrictive housing inmates, and in particular to those inmates who were known to commit acts of self-harm by urging them to engage in such behavior, yet acted with deliberate indifference to that risk. Factfinding may well reveal otherwise, but for now, under the lenient pleading standard for a *pro se* litigant, *Haines,* 404 U.S. at 521, the court will allow plaintiff to proceed against Foster on this deliberate indifference claim. Plaintiff may not, however, proceed on this claim against any other defendant.

II. Deliberate Indifference to a Serious Medical Need

For similar reasons, plaintiff may proceed on claims that defendants Cook, Beahm, John Doe #2, and Gruber responded to his actual self-harm with deliberate indifference. A prison official may violate the Eighth Amendment if proven to have acted with "deliberate indifference" to a "serious medical need." *Estelle v. Gamble*, 429 U.S. 97, 104 (1976). In this context, "deliberate indifference" means that the officials are aware that the prisoner needs medical treatment but disregard the risk by consciously failing to take reasonable measures. *See Forbes v. Edgar*, 112 F.3d 262, 266 (7th Cir. 1997). "An objectively serious medical need is 'one that has been diagnosed by a physician as mandating treatment or one that is so obvious that even a lay person would easily recognize the necessity for a doctor's attention." *Zentmyer v. Kendall County, Ill.*, 220 F.3d 805, 810 (7th Cir. 2000) (quoting *Gutierrez v. Peters*, 111 F.3d 1364, 1373 (7th Cir. 1997)). Thus, to establish deliberate indifference under the Eighth Amendment on a denial of medical care claim, the plaintiff must demonstrate that: (1) he had a serious medical need; (2)

defendants knew that plaintiff needed medical treatment; and (3) defendant consciously failed to take reasonable measures to provide the necessary treatment. *Forbes*, 112 F.3d at 266.

Plaintiff has met that standard as to defendants Dr. Gruber, Officer Cook, Sergeant Beahm, and Officer John Doe #2. Plaintiff alleges that he cut himself severely enough on May 23, 2019, to leave a "grotesque scar" on his arm and cause significant blood loss, dizziness, and nausea. Accordingly, the court must presume for purposes of screening that his acts of self-harm and resulting injuries constitute an objectively serious medical need.

Plaintiff also sufficiently alleges that each defendant knew he had cut and injured himself but failed to act. Specifically, plaintiff allegedly told Officer John Doe #2 that he was cutting himself, and that officer allegedly could see blood on the in-cell camera lens, but still declined to call for medical attention. Officer Cook allegedly observed plaintiff actually cutting himself and saw "all the blood." Still, Cook's alleged, initial response was to antagonize plaintiff, and though he later took the step of telling Sergeant Beahm about the situation, Cook apparently did nothing when Beahm similarly responded by mocking plaintiff and declined to restrain plaintiff or seek help. As for Dr. Gruber, plaintiff alleges that she also observed him in person, albeit several hours after plaintiff began cutting himself, and that rather than providing any relief, she refused to acknowledge the severity of his injury and dismissed his behavior as merely attention seeking.

Although plaintiff further alleges that he eventually received medical treatment, plaintiff does not allege that any of these four named defendants facilitated that treatment. Again, it is possible additional fact-finding will reveal that some or all of these defendants

responded appropriately to this incident, at least as they reasonably perceived it at that time, but resolving all ambiguities in plaintiff's favor, a reasonable trier of fact could conclude that each of these defendants acted with deliberate indifference to plaintiff's objectively serious medical need. Accordingly, plaintiff will be able to pursue his claims of deliberate indifference to his actual cutting against defendants Dr. Gruber, Officer Cook, Sergeant Beahm, and Officer John Doe #2.[5]

However, plaintiff will not be allowed to proceed on this claim against the remaining defendants because there are no allegations from which a trier of fact could reasonably infer that any of those individuals were aware plaintiff had seriously cut himself and needed medical attention before he was treated by medical staff or had disregarded a follow-up request for additional treatment. In the event that plaintiff has inadvertently omitted any such allegations, he may still move to amend his complaint, but will need to do so promptly.

III. Motion for Assistance in Recruiting Counsel

Finally, the court will deny without prejudice plaintiff's pending motion for assistance in recruiting counsel. Unfortunately, civil litigants have no constitutional or statutory right to the appointment of counsel. *E.g.*, *Ray v. Wexford Health Sources, Inc.,* 706 F.3d 864, 866-67 (7th Cir. 2013); *Luttrell v. Nickel,* 129 F.3d 933, 936 (7th Cir. 1997).

[5] At the preliminary pretrial conference that will be held later in this case, Magistrate Judge Stephen Crocker will explain to plaintiff how to (1) use discovery requests to identify the "John Doe" defendant and (2) amend the complaint to identify him by name. Should plaintiff learn the name on his own before that conference, he should not wait to amend. Regardless, plaintiff should work with defense counsel to assign actual names to the appropriate defendants as soon as practical.

The court may, however, use its discretion to determine whether to help recruit counsel to assist an eligible plaintiff. *See* 28 U.S.C. § 1915(e)(1) ("The court may request an attorney to represent any person unable to afford counsel.")

Before deciding whether to recruit counsel, a court must find that the plaintiff has made reasonable efforts to find a lawyer on his own and has been unsuccessful. *Jackson v. County of McLean*, 953 F.2d 1070, 1072-73 (7th Cir. 1992). Because plaintiff asserts that he has written to several lawyers without success, the central question is "whether the difficulty of the case—factually and legally—exceeds the particular plaintiff's capacity as a layperson to coherently present it to the judge or jury himself." *Pruitt v. Mote*, 503 F.3d 647, 655 (7th Cir. 2007). Between his motion and attached declarations, plaintiff claims that he cannot adequately represent himself because: (1) he suffers from several mental illnesses and has difficulty concentrating; (2) he is unable to grasp legal standards and procedures; (3) another inmate has helped him prepare his filings in this case to date but will no longer do so; (4) his claims present complex questions of law and fact; and (5) expert testimony "will be an issue." (Dkt. ##8, 9, 10.)

So far, only screening has been completed in this case. At this point, plaintiff's only obligations in the near future will include (1) possibly amending his complaint, which plaintiff has done once already, (2) participating in the preliminary pretrial conference, and (3) preparing and responding to discovery requests. Although plaintiff emphasizes that he is mentally ill and continues to experience unspecified psychological problems, he does not claim that he is receiving inadequate treatment for these problems nor does he specify which future litigation tasks he cannot complete as a result of his mental illnesses.

While plaintiff's mental health issues remain of concern, and it might become necessary as this case progresses for the court to assist in the recruitment of counsel, there is an insufficient basis to infer that need now. To the contrary, plaintiff's filings indicate he *can* complete the tasks at hand. To date, he has articulated the factual bases for his claims, submitted understandable filings, and gathered and filed exhibits in support. Although plaintiff may have had help from another inmate with his filings, he has personal knowledge of the circumstances surrounding the lawsuit, meaning that he is in the best position to explain what he did, as well as what defendants did or did not do in response to the alleged events.

Similarly, while plaintiff notes he struggles with legal concepts and procedures, this is true of many *pro se* litigants. Plaintiff also makes a conclusory statement about the complexity of the complaint, but does not explain why this is so. If anything, his case does not appear to be particularly complex as alleged. At this point, plaintiff is proceeding on deliberate indifference claims arising from one incident of self-harm against five defendants. Moreover, it is not certain at this early stage whether his claims will ultimately turn on expert testimony. Regardless, the court notes that during and after the preliminary pretrial conference in this case, plaintiff will receive guidance from the court regarding how to gather evidence to prove his claims.

Accordingly, the court is denying this motion without prejudice to plaintiff renewing it at a later date should his own situation deteriorate or the tasks associated with the prosecution of this case become unmanageable. If he decides to renew his motion, plaintiff should include specific details explaining the tasks he is unable to perform on his own, as

well as any extraordinary circumstances surrounding the facts of this particular case.

ORDER

IT IS ORDERED that:

1) Plaintiff Bobby Lee Coil is GRANTED leave to proceed on Eighth Amendment deliberate indifference claims (1) against defendants Dr. Devona M. Gruber, Sergeant Joseph Beahm, C.O. Cook, John Doe #2, as to his May 23 actual cutting incident; and (2) against defendant Brian Foster as to the risk that Beahm posed to all restrictive housing inmates.

2) Plaintiff is DENIED leave to proceed against defendants Kevin A. Carr, John Doe #1, and Dr. Torria M. VanBuren, who are all DISMISSED from this lawsuit.

3) Plaintiff's motion to amend his complaint (dkt. #7) is GRANTED.

4) Plaintiff's motion for assistance in recruiting counsel (dkt. #10) is DENIED without prejudice.

5) Pursuant to an informal service agreement between the Wisconsin Department of Justice and this court, copies of plaintiff's complaint and this order are being sent today to the Attorney General for service on the state defendants. Under the agreement, the Department of Justice will have 60 days from the date of the Notice of Electronic Filing in this order to answer or otherwise plead to plaintiff's complaint if it accepts service for the defendants.

6) For the time being, plaintiff must send defendants a copy of every paper or document that he files with the court. Once plaintiff has learned what lawyer will be representing defendants, he should serve defendants' lawyer directly rather than defendants. The court will disregard any documents unless the court's copy shows that he has sent a copy to defendants or defendants' attorney.

7) Plaintiff should keep a copy of all documents for his own files. If he does not have access to a photocopy machine, he may send out identical handwritten or typed copies of his documents.

8) If plaintiff is transferred or released while this case is pending, it is his obligation to inform the court of his new address. If he fails to do this and defendants or the court are unable to locate him, his case may be dismissed for failure to prosecute.

Entered this 30th day of July, 2020.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge