

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

SARAH JO PENDER,)	
)	
Plaintiff,)	
vs.)	Case No. 1:14-cv-1287-TWP-DML
)	
PETER PECKHAM, JAMES BASINGER,)	
ED BUSS, STEVE MCCAULEY,)	
JANET O'NEAL, LESLIE JOHNSON,)	
SHIRLEY WASHINGTON, VANESSA)	
TOLBERT, MICHAEL WILKERSON,)	
STANLEY KNIGHT,)	
MICHAEL OSBURNE, and)	
BRUCE LEMMON,)	
)	
Defendants.)	

Entry Discussing Complaint and Directing Further Proceedings

Plaintiff Sarah Jo Pender brings this action pursuant to 42 U.S.C. § 1983, alleging that the defendants violated her constitutional rights when she was confined to the Special Housing Unit at the Indiana Women’s Prison. Because the plaintiff is a prisoner, her complaint is subject to the screening required by 28 U.S.C. ’ 1915A(b). Pursuant to this statute, “[a] complaint is subject to dismissal for failure to state a claim if the allegations, taken as true, show that plaintiff is not entitled to relief.” *Jones v. Bock*, 549 U.S. 199, 215 (2007).

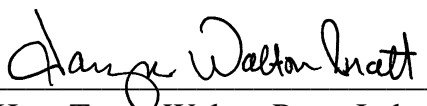
To satisfy the notice-pleading requirements of Federal Rule of Civil Procedure 8(a)(2), a complaint need only include “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed.R.Civ.P. 8(a)(2); A complaint must always . . . allege enough facts to state a claim to relief that is plausible on its face. *Limestone Development Corp. v. Village of Lemont, Ill.*, 520 F.3d 797, 803 (7th Cir. 2010). “A claim has facial plausibility when the plaintiff

pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009). In addition, although the requirements of notice pleading are minimal, when a plaintiff pleads facts that show his suit is . . . without merit, he has pleaded himself out of court.® *Trogenza v. Great American Communications Co.*, 12 F.3d 717, 718 (7th Cir. 1993), cert. denied, 511 U.S. 1084 (1994).

Based on the foregoing screening, the action **shall proceed as submitted**. The clerk is designated pursuant to *Federal Rule of Civil Procedure* 4(c)(3) to issue process to the defendants in the manner specified by Rule 4(d)(1). Process shall consist of the complaint, applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Entry.

IT IS SO ORDERED.

Date: 08/14/2014



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

Sarah Pender
DOC #953968
Indiana's Women's Prison
2596 Girls' School Road
Indianapolis, IN 46214

Steve McCauley
Janet O'Neal
Leslie Johnson
Shirley Washington
Vanessa Tolbert
Michael Wilkerson
Peter Peckham

All at:

Indiana's Women's Prison
2596 Girls' School Road
Indianapolis, IN 46214

Michael Osburne
Bruce Lemmon
Ed Buss
Stanley Knight
James Basinger

All at:

302 W. Washington St.
Indianapolis, IN 46204