

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA**

William R. Grimes v. Clay County Jail Officer No. 1181

Grimes · No. 2:25-cv-00165-JPH-MJD · Decided January 26, 2026

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA TERRE HAUTE DIVISION WILLIAM R. GRIMES,)) Plaintiff,)) v.) No. 2:25-cv-00165-JPH-MJD) CLAY COUNTY JAIL OFFICER NO. 1181,)) Defendant.))) BRISON SWEARINGEN,)) Interested Party.) ORDER DIRECTING FURTHER PROCEEDINGS Plaintiff William Grimes is a prisoner currently incarcerated at Indiana State Prison.

He filed this civil action pursuant to 42 U.S.C. § 1983, alleging that the defendants subjected him to unconstitutional conditions of confinement while he was incarcerated at Clay County Jail. Dkt. 1. The Court issued a screening order on July 23, 2025, dismissing Mr. Grimes's claims against an unnamed Clay County Jail officer. Dkt. 19.

In doing so, the Court added the Sheriff of Clay County Jail as an "interested party" and instructed Mr. Grimes to serve limited discovery to the Sheriff to learn the name of the officer. *Id.*; see *Billman v. Ind. Dep't of Corr.*, 56 F.3d 785, 790 (7th Cir.1995) ("because [the plaintiff] is a prisoner he may not be in a position to identify the proper defendants, or all of them, in his complaint... [w]e think it is the duty of the district court to assist him, within reason, to make the necessary investigation.")).

Mr. Grimes then notified the Court that he was unable to serve discovery on the Sheriff and amend his complaint. See dkts. 24, 26. On September 9, 2025, the Court reissued process to the Sheriff and directed the Sheriff to respond to Mr. Grimes's discovery request. Dkt. 27.

In doing so, the Court stated that "[o]nce the Sheriff appears in this case, he shall have twenty-eight days to respond to Mr. Grimes's discovery request. If Mr. Grimes wishes to serve any further discovery on the Sheriff, he shall have fourteen days after the Sheriff appears to do so. Mr. Grimes will have 60 days after the Sheriff appears to file an amended complaint."

Id. The Sheriff appeared in this action by counsel on October 8, 2025. Dkt. 30. The deadline to file an amended complaint has since passed and Mr. Grimes has not done so or otherwise responded. Mr. Grimes shall have until February 23, 2026 to file an amended complaint that corrects the deficiencies identified in the Court's screening order. Failure to do so in the time provided will result in the dismissal of this action without prejudice for the reasons specified in the Court's screening order without further warning or opportunity to show cause.

SO ORDERED. Date: 1/26/2026 Sjamu Pataich Hanbore James Patrick Hanlon United States District Judge Southern District of Indiana Distribution: WILLIAM R. GRIMES 249489 INDIANA STATE PRISON INDIANA STATE PRISON Inmate Mail/Parcels One Park Row MICHIGAN CITY, IN 46360 Liberty L. Roberts CHURCH CHURCH HITTLE & ANTRIM (Noblesville) lroberts@cchalaw.com

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