

No. _____

24-5735

IN THE

SUPREME COURT OF THE UNITED STATES

Robert Gary Moore — PETITIONER
(Your Name)

vs.

WARDEN Weber (WCI) And Defendants — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Fourth Circuit Court of Virginia 1:22-cv-01705-DKC

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Robert Gary Moore
(Your Name)

13800 McMullen Hwy, SW
(Address)

Cumberland, Maryland [21502]
(City, State, Zip Code)

None
(Phone Number)

QUESTIONS PRESENTED

- (10) Did the Fourth Circuit and District Court Abuse its discretion under the 14th Amend. For not deciding on the merits that the defendants Holly, SELF and Warden Bishop did not refute Petitioner's claim OF deliberate Indifference (14th and 8th amend.) For dispensing cancerous harmful Agent to him under uncontroversy acquiescence?
- (11) Was it newly discovered Evidence when petitioner found out through commercials in the beginning of June in 2022 that ZANTAC was an cancerous Agent, and that it was an Abuse of discretion for the Fourth Circuit and district Court to not decide (in part) on that claim against Holly, SELF, and Warden Bishop (14th Amend. due process)?
- (12) Was it an due process 14th Amend. violation for the Warden Weber, Commissioner, Brittani, Ryan, and Jodi for not properly investigating video Footage (hard Evidence) for over 25 days of missed medication, in which could have caused Petitioner's death?
- (13) Did Nurse Sierra Nolan commit deliberate Indifference under the 14th and 8th Amend. when she denied Petitioner immediate medical Attention under CASE LAW protocol?
- (14) Did Nurses From W.C.I. (Temeila and Priscilla) contribute to committing deliberate Indifference (14th and 8th) by not dispensing Life threatening medication, which occurred over 25 times?

QUESTIONS PRESENTED

(15) Did doctor Robert Williams commit deliberate Indifference under 14th and 8th Amend. by ignoring the nurse, when she told him that petitioner's vitals and breathing was abnormal, knowing petitioner had history with blood clots?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

WARDEN OF W.C.I.; Nurse Tameila OF W.C.I.;
DOCTOR OF W.C.I. (John Doe); DPSCS (Commissioner); Sierra NOLAN, Nurse;
AYAN BROWNING, NP; KRISTA SELF, Practitioner; Dr. KASAHUN Temes Gen; Medical
Health SERVICES For Baltimore; CITY JAIL, Doctor For city Jail (John Doe)
BRITANNIA MANSTON, Nurse; HOLLY hOOVER, Practitioner; Nurse SICEALLER;
Dr. ROBERT WILLIAMS (J.C.I), Nurse Tami OF W.C.I.; PRIS Gilla Cobb; SANYA
ADE BAYO; MASOUD WAHANMIR, Prescriber; Geta chew, Provider; Dayendra
COR CORAN, Commissioner OF Corrections; Frank Bishop, Warden OF North Branch;
JODI DOYLE, Nurse, Wexford health care, Corizon Health, AND yes care
(W.C.I.)

RELATED CASES

JKC-17-1919 (Fourth Circuit Court, No dates on hand) AND (Federal District-
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CONSTITUTIONAL AND STATUTORY PROVISIONS

14th Amendment Constitutional Violations, under due process,
procedural, and deliberate INDIFFERENCE

8th Amendment Constitutional Violations, under CRUEL AND
UNUSUAL Punishment, through the 14th Amendment

Fed. R. CIV. P 56 (c)

LOCAL RULE 15.1 (A)(2)

QUESTIONS PRESENTED

1. Did the Fourth Circuit And District Court Abuse its discretion For not Compelling the defendants to produce the doctor's name AT (BCBIC), in which service could not be submitted on this doctor?
2. Did the Fourth Circuit And district Court Abuse its discretion For dismissing suit For not exhausting App remedies, when the issues are Life threatening, and an on going continuous serious health matter since 2011?
3. Did the John Doe doctor From Baltimore City Jail Commit deliberate Indifference (14th Amend.) due process For not investigating petitioner's medical Files From Mercy hospital in Baltimore city before determining to take him OFF OF blood thinners?
4. Did the Fourth Circuit And district Court Abuse its discretion (14th Amend.) by not deciding on the Fact the defendants Krista SELF And Holly Hoover should have known Petitioner's Health history OF blood clot problems through their computer and paper Files?
5. Did the Warden OF North branch, Holly, SELF, And Commissioner Cause deliberate Indifference (14th Amend.) For neglecting blood clot conditions that petitioner and petitioner's Family warned them about, on Top OF Them knowing that petitioner was taking OFF blood thinners AT Baltimore city Jail in 2011?

QUESTIONS PRESENTED

(6) Did the Fourth Circuit and district Court Abuse its discretion by not considering hard Evidence From Petitioner's Mother Affidavit concerning that All defendants was warned From day 1 About petitioner's blood disorder (14th Amend.) ?

(7) Did the Fourth Circuit and district Court Abuse its discretion For not deciding on the Fact that AFTER petitioner and his Family complained For so Long before Petitioner past out and Almost died, it was From the same Condition Petitioner and his Family warned them about, which the defendants medical records From Petitioner passing out was considered Newly discovered Evidence, in which the petitioner couldnt have proven that it was his blood condition without this incident happening (14th Amend. Due process) ?

(8) Did All the defendants At North branch And J.C.I. Commit deliberate Indifference under the 14th Amend. For neglect and mal treatment, due to the Fact the defendants At J.C.I. quoted that Petitioner's medical Condition was From an on going build up From not being treated For his blood disorder (Factor 5) From 2011 (14th and 8th Amend.) ?

(9) Did Warden Bishop, Holly and SELF Cause Deliberate Indifference under 14th and 8th For dispensing Zantac, a Cancerous extremely harmful Agent ?

REASONS FOR GRANTING THE Petition

'1' Helling v. McKinney, 509 U.S. 25 (1993), Further risk of death, From not receiving proper medication for a long period of time (City Jail, North branch and J.C.I) and proper amount of medication (W.C.I), TN which is a serious medical need in Estelle v. Gamble, 429 U.S. 97 (1976), The petitioner went 10 years without proper treatment, IN which petitioner constantly warned all defendants of his serious blood disorder, not along, medical paper and computer files going all the way back to Baltimore City Jail in 2011, AND Affidavit from Petitioner's Mother, see Exs. 1, 2, and 3.

And there-fore, Under Humes v. Jones, 109 F. 4th 1112 (HN 3), Defendants knew the need yet deliberately disregarded it.

'2' Doctor (John Doe) not properly inquiring and investigation medical files from Mercy hospital in Baltimore city, in which Petitioner signed an medical consent form from this same doctor to investigate his files from Mercy hospital, see Mc Elligott v. Foley, 182 F.3d 1248, 1256-57 (11th Cir. 1999)

(3) There-fore, defendants were not immune under Wood v Strickland 430 U.S. 308, 322 (1975)

(4) Eighth Amendment protection against [sic] to prison problems extends to conditions that threaten to cause health problems in the future, see Oliver v. Deen, 77 F.3d 156, 159-160 (7th Cir. 2001) (build up since 2011)

(5) In order to STATE A VIOLATION OF THE Eighth Amend., an inmate must demonstrate that prison officials showed deliberate indifference to serious medical needs.

REASONS FOR GRANTING THE PETITION

Violations of 8th Amendment through 14th Amend., due to the fact that this case is not like Beck v. Wexford Health Sources, Inc. 27 F.4th 473, 2022 U.S. App. Lexis 4881 (7th Cir. 2022), where there was only a two day delay, but there was more than 25 days of missed medication of extremely important blood thinners at W.C.I., which could have caused risk to life!

protocol Under Headnote 6 (Beck v Wexford), Sierra was in deliberate indifference, under 8th and 14th Amend. For not notifying the head physician of Petitioner's "serious" breathing problems, and knot on left leg.

(6) Nurses and all doctors recommendation at North branch was inappropriate, because they were warned by Petitioner and his family (HN 1) of his blood disorder, and they failed to investigate and give appropriate treatment, see Morehead v. Thompson, 2024 U.S. App. Lexis 3722

Petitioner has proven claim that defendants knew of his blood condition through Affidavit Exs. 1, 2, and 3, Medical Files at City Jail, and that Petitioner did claim that he told all nurses and doctors of his blood disorder, but was deliberately disregarded, see Vaughn v. Bassett 2024 U.S. App. Lexis 14074

(7) Petitioner's uncontroverted claims that defendants dispensed present and harmful future cancerous agent Zantac (Helling v. McKinney) wasn't refuted in part by defendants. Plaintiff did amend against all three defendants required under Local rule 15.1 (a) (2)

There is no genuine issue of material fact, because petitioner claims was uncontroverted under Fed. R. Civ. P 56 (c).

REASONS FOR GRANTING THE PETITION

By the defendants not refuting at all, in motion and Affidavit, there is an absence of evidence to support the non moving party's case, which proves the petitioner's Firma Facie case to be awarded the compensation under summary judgment, see Celotex Corp. v. Catrett 477 U.S. 317 (1986).

(8) Ignoring obvious conditions, in which petitioner and petitioner's family warned medical and head official for an constant long period of time.

(9) Missing treatment to many times, which could have put petitioner's life at risk (W.C.I)

(10) Failing to investigate enough to make an informal judgment (SELF, Krista, doctor Robert Williams, and doctor from City Jail (John Doe), see (Mc Elligott v. Foley).

(11) Making medical decisions based on non-medical factors, which was due to petitioner blood disorder that went untreated for 10 years straight, causing stress on the heart, massive clots, and almost death, in which petitioner warned them of his condition, not along, petitioner's medical documents and computer files from Balto. City Jail, and Exs. 1, 2, and 3.

REASONS FOR GRANTING THE PETITION

(12) Holly's Declaration in Ex. "A", quoted that Petitioner only was concerned about his gastro intestinal problem, this can be disproved by Petitioner's Affidavit Exs. 1, 2, and 3, Medical Files, and petitioner's claims.

Holly also quotes that a chest X ray, (not an sonogram and good test) showed no acute cardio pulmonary disease (Id nt 188), but an X-ray would not have shown that petitioner's blood was too thick, had Factor 5, and blood clots, in which this was the real reasons for Petitioner's severe breathing problems, which also caused extreme stress on Petitioner's heart, in which eventually caused petitioner to pass out from massive blood clots in 2021.

(13) Again, under Jodi Doyle's declaration (Ex. 2), she committed perjury by quoting that Petitioner came out of his cell to take his blood thinner Pills. The Petitioner was on Lock-up and the nurses came to his cell to dispense those Pills. This is why the Petitioner requested for the video Footage (hard Evidence) of the tier, None of the Federal Judges (4th cir. and District) commented on all the perjuries committed by Holly and Jodi.

CASES

Estelle v. Gamble, 429 U.S. 97 (1976) page 1

Oliver v. Deen 77 F.3d 156, 159-60 (7th cir. 2001) page 1

Phillips v. Roane County, Tenn. 534 F.3d 531 (6th cir. 2008) pages 5, 6

McElligot v. Foley 182 F.3d 1248 (11th cir. 1999) pages 1, 2, 3

Johnson v. Doughty 433 F.3d 1001, 1003 (7th cir 2006) page 2

Beck v. Wexford Health Sources, Inc. 27 F.3d 473 (7th cir 2002) pages-
5, 6, 7

Morehead v. Thompson, 2024 U.S. App. 3722, pages 1, 2

Humes v. Jones 109 F. 4th 1112 (HN3) pages 3, 4, 5

Vaughn v. Bassett 2024 U.S. App. Lexis 14074 pages 3, 4, 5

Wood v. Strickland, 420 U.S. 308, 322 (1975) pages 4, 5

Helling v. McKinney 509 U.S. 25 (1993) page 1

Celotex Corp. v. Catrett 477 U.S. 317 (1986) pages 4, 8

OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, D.C. 20543-001

Robert Gary Moore

V

NO. 23-7263

WARDEN OF W.C.I.,
AND DEFENDANTS

STATEMENT OF THE CASE

UPON decision, by THE FOURTH CIRCUIT COURT ON AUGUST
27, 2024, before HARRIS, BUSHING, AND FLOYD

The plaintiff argues that the Judge's decision to dismiss due to
NOT fully exhausting remedies is only when the Plaintiff's Life is NOT in
Jeopardy, AND that if Plaintiff would had waited until AFTER AN IGO hear-
ing, it would have been too late. The only reason plaintiff have been re-
cently getting his meds on time is because of the immediately ACTION OF the
Plaintiff's 1983 suit. (*Estelle v Gamble*) (*Helling v McKinney*) (*Oliver v Deen*)

Defendant John Doe (doctor) from (BCU), abuse of discretion by
The Fourth Circuit and District Court for not compelling, and enforcing the defendants
to produce the doctor's name from (BCU), in which service could NOT be
submitted on this doctor, and for dismissing claims on John Doe

For statute of Limitation, due to the Facts that this doctor's decisions to take Plaintiff off of blood thinners without proper investigation into Plaintiff's Files From Mercy hospital, in which caused the long on going suffering and serious breathing problems, to which cause the build up From 2011, as the defendants submitted to the Courts this new evidence, in which plaintiff almost "died" From severe blood clots in 2021 At J.C.I, due to the fact that the defendants gave mis diagnoses to the Federal Judge in the First 1983 case no. 1919, in which the plaintiff submitted an INjunction to this Federal Judge (case no. 1919) For an Independent doctor, in which plaintiff argued that he had blood clot issues when he was previously in Society. There-fore, the only way plaintiff could "recently" prove that the defendants mis diagnosed him was due to when he fell out AT J.C.I in "2021", and the defendants reports came back that it was the plaintiff's blood condition, There-fore, it was a on going problem of a chain of events that would "bar" the statute of Limitation. There-fore, the Plaintiff is requesting that this Court over turn the dismissal OF the doctor From (BCBIC), and to compel the defendants to submit the doctor's name for service, also due to the newly discovered evidence was given by defendants AFTER Plaintiff almost died in June of 2021, This 2021 date would bar the statute of Limitation. See defendants motion, page 10, para 4, Lines 7-11, submitted by defendants on 10-11-22. (Mc Elligott v. Foley) and (Morehead v. Thompson) (Johnson v. Doughty)

defendants Krista SELF and Holly Hoover should have known that

PLAINTIFF WAS TAKEN OFF BLOOD THINNERS AT (FBC BIC), IN VIOLATION OF
due process (8th and 14th Amendments), constitutional violations, and
deliberate indifference for the fact that both of these nurses caused
perjury when they swore in oath that they didn't know plaintiff had a
blood clot history, because it was in plaintiff's medical document files
and computer files. This issue of perjury was not decided by Judge
Deborah due to her prejudice against plaintiff and her capabilities
to judge impartially. As a practitioner "must" not treat their
patient without investigating his medical history. This issue was also
not decided by Judge Deborah, also plaintiff declare by oath that
he consistently told both of these practitioners at North branch about
his blood condition. This was also proven by Affidavit from Plaintiff's
mother with proof of letters to Warden Frank Bishop of North branch.
(Letter - June 1, 2017, Commissioner Dwyer - M. Concoran - Letter -
Feb. 12, 2018) and witness (Councilman Robert Stokes (Letter - March
28, 2018), in which Judge Deborah also didn't comment on Affidavit
and Letters. Also, these two practitioners were working at North
branch when these letters were submitted to the warden, commissioner,
and councilman. Also these two practitioners in deed distributed can-
cerous agent vantage to plaintiff at North branch, in which contributed
to plaintiff's serious illnesses and caused risk to his life, the same
criteria for risks as second hand smoke was declared to cause by
being expose to an cancerous agent. In which plaintiff also sued
(Humes v Jones and Vaughn v Bassett) (McElligot v Foley)

practitioners from North branch. (Holly, SELF and Warden Frank).

For dispensing Zoltec, at Cancerous Key + Family Farm Full Agent to

Plaintiff for almost two whole years straight (From 12-19-17 through 1-19-19), in which caused again an attribute to his health worsening

and caused a risk to his life and future life. The Federal Judge

Deborah Six decided in part concerning to only the F.D.A. claims

and not the claims against the three above defendants concerning

the dispensing of Zoltec to Plaintiff, in which Plaintiff was under

the protection and jurisdiction of North branch and Warden, see

Celotex v. Catrett (Fed. R. Civ. P. 56 (c) (1)) (LOCAL RULE 15.7 (A) (2)).

Plaintiff also amended Warden Frank Bishop (North branch)

as an defendant because he did nothing to investigate for himself

whether it was a blood condition due to AIDS complaints from Plaintiff

Plaintiff's mother (see Letter 2/19/19 + 2/19/19). Therefore, Plaintiff is

requesting that this Court compel the lower Court to serve Frank

Bishop as an defendant in this case (Humes v. Jones) (Wood v. Strickland)

Plaintiff's claims on the Commissioner Dayena M. Carcoran

does also have merit due to the facts that she was also warned by

Plaintiff's Family and mother's sworn Affidavit (Letter Feb. 12, 2018),

no investigation by her and her office into what the cause of Plaintiff's

Plaintiff's suffering was actually from, and she was informed of Plaintiff's

blood circumstances under due process and deliberate indifference.

(Vaughn v. Bassett) (Wood v. Strickland) to see to see to see to see

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due to the only four video footage at W.C.I that was shown to Plaintiff and the Court; "which this Court will not see the nurses give Plaintiff any meds of the tier he was on", it is known by Judge Deborah and the lower courts that plaintiff has been on dis-seq the whole time he has been in this jail (W.C.I), and that the nurses comes to the tier at plaintiff's cell door to dispense plaintiff's meds. There-fore, defendants: brittani Manston, RYAN browning, and Jodi Doyle is being sued for deliberate indifference and due process violations for not properly investigating the video footage before claiming in oath that the documents signed by nurses was legit and "perjury" for all defendants to make an oath to the statement quoted by Jodi Doyle, that quotes "According to his records, this was because he did not show up for distribution of his medication on those days (May 1st and 2nd incidents of 2023), due to prejudice, Judge again didn't rule on this perjury. See page 2, submitted on 6th of June, 2023 and perjury by Jodi Doyle Ex 2 (declaration on 6-6-2023 - W.C.I) (Beck v Wexford) / Phillips v Roane County)

Warden Shane Weber should also have known that Plaintiff was not receiving his meds, because plaintiff submitted several apps requesting for video footage and investigation, and shortly after filing 1983, plaintiff was still having problems obtaining his blood-thinners, in which Shane Weber did nothing to make sure plaintiff was receiving his meds and to visit plaintiff to see if his well being was in good health. He did nothing to see for himself if the video footage had merit, also under due process, neglect, and deliberate indifference. (Wood v. Strickland) (Humes v. Jones)

Nurse Jodi Doyle was amended to the Law suit for perjury or supporting perjury by Oath, but Judge Debornh didn't respond to the Amendment, so plaintiff is requesting for this defendant, along with defendants Warden FRANK, Sanyo, Masoud and Getachew, in which I believe was also added to the amended complaint, due to the fact that Sanyo, Masoud and Getachew were responsible for prescribing (Providers) plaintiff meds, in which they constantly neglect and failed to do under 8th and 14th Amendment violation (Phillips v. Adame County) (Acker v. Wexford)

ALSO, Nurse ~~Stemmer~~ Nolan was sued by plaintiff concerning the incident about plaintiff telling Nolan that he developed an knot on his left back leg and he could not breathe, and that plaintiff felt like he was going to pass out, and that Nurse Nolan did nothing about his situation, and then told plaintiff to just put a sick call slip in. This is a due process violation due to following proper protocol to immediately see the plaintiff of his serious breathing complaint. Therefore, this claim should not have been dismissed by Federal Judge Deborah. See First Federal Law suit against Nurse Nolan, which quotes the same claims against her, in which happen at North branch before plaintiff fell out and almost died from blood clots at W.C.I., this was the newly discovered evidence, and without it, the plaintiff could not have brought a claim against the doctor at (B.C.I.) or any other defendant in his claims, along with the defendants admitting that plaintiff's conditions was a "result" of an build-up from 2011, see defendants' motion, on page 10, para 4, lines 7-10, submitted on 10-11-22. (Beck v. Weisford under Headnote 6)

App. W.C.I. - 11.89-22, quotes that I was receiving meds, when the hard evidence will prove that plaintiff wasn't receiving his meds, and missed almost 20 days of meds, in which the lower court did not review the Declaration of Ryan Browning that quotes about Nurse's signatures (perjury), but not the hard evidence of the video footage, Therefore, I'm suing Browning for deliberate

indifference For not investigating the video Footage (hard Evidence) of the tier as requested by plaintiff, see Oath of Browning on 10-5-22, it was also proven by another App (Ex 212) - WCI - 0425-23 to be merit, because plaintiff didn't receive meds from the 5th through the 9th of April, 2023. (Reck v Wexford)

The conflict concerning the ZANTAC wasn't addressed by the Fourth circuit, this means that a material Factual or legal matter was over looked in part, which deals with acquiescence (against) the opposition, in which would be an prima Facie case, and this court shall reward that 15 million in FAVOR OF Petitioner, as requested in this petition (Fed. R. CIV. P 56 (c)) (LOCAL rule 15.1 (a) (2), Celotex v. Catrett

Due to the case being to complicated, the Petitioner is requesting by INJUNCTION For AN Federal Attorney to properly articulated an amend this petition, due to the fact that petitioner is not AN Attorney at or in the D.C., or at or in AN Letters patent.

DECLARATION BY Robert Gary Moore /

THAT I, Robert Gary Moore sworn by Above written Oath that the above written Facts are TRUE, CORRECT, AND COMPLETE,

Exhibites to support Petition

Exs. 1, 2, AND 3, see Attached

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of Sept.
2024, A copy of This Writ was postage prepaid to ALL
parties below:

LUCAS W. B. CHENCK

ONE South Street, 20th Floor

BALTO. MD. 21202

Megan T. MANTZAVINOS

600 BALTIMORE AVENUE #305

TOWSON, MARYLAND 21204

Robert Garry Moore

W. C. I

13800 McMullen Hwy, SW

Cumberland, Md. [21502]

9 - 30 - 2024

Appendix A

Documents; EYS, 01 (Attached)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ROBERT GARY MOORE,

Plaintiff,

v.

DR. ROBERT WILLIAMS, *et al.*,

Defendants.

*

*

*

Civil Action No. DKC-22-1705

*

*

ORDER

This court issued an Order on September 21, 2023, granting plaintiff Robert Gary Moore another opportunity to file a Second Amended Complaint detailing his claims against the remaining defendants, Dr. Robert Williams and Nurses Tameila Benegar and Priscilla Cobb. ECF No. 75. Mr. Moore was provided 28 days in which to file the amendment and was forewarned that failure to submit the required information in a timely manner would result in dismissal of his claims. *Id.* Mr. Moore has failed to file the required amendment.

Accordingly, it is this 13th day of November, 2023, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. Mr. Moore's claims against Dr. Robert Williams, Nurse Tameila Benegar, and Nurse Priscilla Cobb ARE DISMISSED without prejudice; and
2. The Clerk IS DIRECTED to MAIL a copy of this Order to Mr. Moore and CLOSE this case.

/s/

DEBORAH K. CHASANOW
United States District Judge

page 01
EX. 01

Appendix B

Documents, Exs. 02, 03, 04, and 05

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

1954-1955

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THE UNIVERSITY OF CHICAGO
PHYSICS DEPARTMENT
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