

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Alexander Carter, Lamarcus )  
Cargill, Jimmy D. Hitchcock, )  
Dashaun Riley, Arland Scott, ) No. 22-cv-01893  
Charles Smith, Eugene )  
Washington, Amy Won, and ) (*Judge Daniel*)  
Deshawn Wright, individually and )  
for others similarly situated, )  
 )  
*Plaintiffs*, )  
 )  
-vs- )  
 )  
Sheriff of Cook County and Cook )  
County, Illinois, )  
 )  
*Defendants*. )

**NOTICE OF APPEAL**

Plaintiffs Alexander Carter, Lamarcus Cargill, Jimmy D. Hitchcock, Dashaun Riley, Arland Scott, Charles Smith, Eugene Washington, Amy Won, and Deshawn Wright hereby appeal to the United States Court of Appeals from the judgment entered in this case on January 3, 2024.

/s/ Kenneth N. Flaxman  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Alexander Carter, Lamarcus )  
Cargill, Jimmy D. Hitchcock, )  
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*Plaintiffs*, )  
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-vs- )  
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Sheriff of Cook County and Cook )  
County, Illinois, )  
 )  
*Defendants*. )

## DOCKETING STATEMENT

Plaintiff Alexander Carter invoked the jurisdiction of the district court under 28 U.S.C. § 1333 to assert claims, individually for a putative class, arising under 42 U.S.C. § 1983. Plaintiffs Lamarcus Cargill, Jimmy D. Hitchcock, Dashaun Riley, Arland Scott, Charles Smith, Eugene Washington, Amy Won, and Deshawn Wright joined the case in an amended complaint filed on November 8, 2022.

The district court entered judgment in favor of defendants and against all plaintiffs on January 3, 2024. (ECF No. 37.) This was a final resolution of all claims by all plaintiffs.

Plaintiffs filed their notice of appeal on January 5, 2024 (ECF No. 38) and invoke the jurisdiction of the Court of Appeals pursuant to 28 U.S.C. § 1291.

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ALEXANDER CARTER, *et. al*  
Plaintiffs

v.

SHERIFF OF COOK COUNTY, *et.al*  
Defendants

No. 22 CV 1893

Judge Jeremy C. Daniel

**ORDER**

The defendants' motion to dismiss (R. 24) is granted.

**STATEMENT**

The plaintiffs are individuals incarcerated at the Illinois Department of Corrections (IDOC) who were previously housed at the Cook County Jail. (R. 19 ¶ 3.) When each of the plaintiffs were transferred to IDOC from Cook County, their government-issued identification cards were not automatically transferred with them. (*Id.* ¶¶ 5-8) Instead, the Cook County Sheriff's Office maintains a policy requiring transferees to either donate any personal items collected upon their entry into the jail or designate someone to pick them up. (*Id.* ¶ 18; *see, e.g.*, R. 29-1 at 1.) Items that are not collected within at least forty-five days are destroyed. (R. 19 ¶ 20.) In their amended complaint, the plaintiffs allege that this policy and the destruction of their IDs denied them procedural and substantive due process and violated their Fourth and Fifth Amendment constitutional rights.<sup>1</sup> The defendants have moved to dismiss the amended complaint in its entirety. (R. 24.)

To survive a motion to dismiss under Rule 12(b)(6), a complaint must "state a claim to relief that is plausible on its face." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). "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*, 556 U.S. 662, 678 (2009).

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<sup>1</sup> The Sheriff is sued only in his official capacity and Defendant Cook County is accordingly named as an indispensable party. *Carver v. Sheriff of LaSalle County*, 324 F. 3d 947 (7th Cir. 2003) ("[A] county in Illinois is a necessary party in any suit seeking damages from an independently elected county officer (sheriff, assessor, clerk of court, and so on) in an official capacity.").

First, the plaintiffs' Fourth Amendment claim must be dismissed because, as they concede, (R. 19 ¶ 21) their claim is foreclosed by Seventh Circuit precedent holding that there is no Fourth Amendment violation "if the seizure is reasonable when it occurs," *Kelley-Lomax v. City of Chi.*, 49 F.4th 1124, 1125 (7th Cir. 2022) (citing *Lee v. City of Chi.*, 330 F.3d 456, 460-66 (7th Cir. 2003)), and they only assert this claim for preservation. (R. 29 at 6.) Because the plaintiffs do not claim that the initial seizure of their IDs was unreasonable, once properly dispossessed of their IDs, they cannot reinvoke the Fourth Amendment to regain it. See *Lee*, 330 F.3d at 466. This claim is dismissed.

Second, the plaintiffs' Due Process claims also fail. The Due Process Clause of the Fourteenth Amendment prohibits "the deprivation of life, liberty or property by the government without due process of law." *Rock River Health Care, LLC v. Eagleton*, 14 F.4th 768, 773 (7th Cir. 2021). Plaintiffs first assert a procedural due process claim, which requires "both adequate notice and an opportunity to be heard before the state may take property." *Conyers v. City of Chi.*, 10 F.4th 704, 712 (7th Cir. 2021). "Fair or adequate notice has two basic elements: content and delivery. If the notice is unclear, the fact that it was received will not make it adequate." *Robledo v. City of Chi.*, 444 F. Supp. 2d 895, 901 (N.D. Ill. 2006) (concluding that the plaintiffs stated a procedural due process claim because the notice they allegedly received was unclear).

The plaintiffs argue that the notice they received was inadequate because it was "false and misleading." (R. 29 at 9-10.) But the amended complaint does not contain any factual allegations describing how the notice was false or how it misled the plaintiffs. Moreover, these allegations are belied by the model "Shipment Donation/Designator Form" ("Exhibit 1") used by the Cook County Jail that the plaintiffs attached to their opposition brief which shows that the plaintiffs were clearly and accurately told how to recover their property. (R. 29-1 at 1.)<sup>2</sup> The form, provided to prisoners leaving for IDOC, gives the following disclosure:

You are being shipped to the Illinois Department of Corrections or to another facility and cannot take any of the items above with you. You have two choices. You can donate the items or designate someone to pick them up . . . If the property is NOT picked up within 45 days of the date of this letter, it will be removed from storage and disposed of accordingly.

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<sup>2</sup> Although a district court considering a motion to dismiss under Rule 12(b)(6) is ordinarily confined to the allegations of the complaint, the Court properly considers the plaintiffs' Exhibit 1 because it is central to the plaintiffs' claims. *Gagliano v. Cytrade Fin., LLC*, No. 09-4185, 2009 WL 3366975, at \*2 (N.D. Ill. Oct. 16, 2009). Indeed, the plaintiff attached the notice to its opposition brief to show the facts it hopes to prove to support its procedural due process claim, (R. 29 at 5 n.3), which turns on the adequacy of the notice the plaintiffs allegedly received.

(*Id.*; R. 29 at 9.) Despite the plaintiffs' argument to the contrary, the above language does not inaccurately describe the Sheriff's policy. Instead, consistent with the plaintiffs' own allegations regarding the Sheriff's policy, the notice clearly conveys that the Sheriff would not send their IDs along with the plaintiffs when they were transferred from Cook County to IDOC.

The plaintiffs also cite *Gates v. City of Chicago*, 623 F.3d 389, 400 (7th Cir. 2010), in which the Seventh Circuit decided that a property release notice given to arrestees violated due process because it did not "adequately inform arrestees of the procedures to retrieve their money." There, following the instructions that the defendant provided would have been a "futile pursuit" for the arrestees in some instances because the property seized would not be available for immediate release, as the notice implied. *Id.* Here, however, the plaintiffs do not allege that sending an individual to collect their IDs within the time period designated in the notice would have been a futile exercise.

The plaintiffs further allege that the notice violates due process because the defendants are obliged to follow the Illinois Administrative Code, which provides that "[p]ersonal property allowed by the receiving facility shall be transferred with the detainee." 20 Ill. Admin. Code § 701.60(d)(4). Yet, even if the plaintiffs "may not have received the process Illinois directs . . . the Constitution does not require state and local governments to adhere to their procedural promises. Failure to implement state law violates that state law, not the Constitution; the remedy lies in state court." *C.L. for Urb. Believers v. City of Chi.*, 342 F.3d 752, 767 (7th Cir. 2003). Accordingly, there are no allegations distinguishing this case from *Conyers*, which held that "there is nothing unconstitutional about the City's decision to deem property abandoned" at the conclusion of the recovery period. 10 F.4th at 712. The plaintiffs have therefore failed to plausibly allege a procedural due process claim against the defendants.

The plaintiffs' substantive due process claim likewise fails. "While procedural due process assures fair procedure in the decision-making process, the substantive due process clause is concerned with the decision itself." *Universal Sec. Ins. Co. v. Koefoed*, 775 F. Supp. 240, 244 (N.D. Ill. 1991). "Substantive due process depends on the existence of a fundamental right, which means a right with deep roots in our history and traditions[.]" *Kelley-Lomax*, 49 F.4th at 1125. *Kelley-Lomax* held that there is no substantive due process claim absent allegations showing a historical tradition of the government "serv[ing] as [an] unpaid custodian of . . . goods for as long as it takes for [a detainee] (or his designee) to retrieve the items." *Id.* Here, the plaintiffs have likewise failed to allege a historical tradition of the government serving as an unpaid bailee for indefinite periods and so *Kelley-Lomax* forecloses this claim.

The plaintiffs argue that they do not allege that the government must hold onto their property for extended periods, only "that the Sheriff should respect their property rights by sending government-issued identification with any detainee being

transferred to the Illinois Department of Corrections.” (R. 24 at 7-8.) Yet, as Judge Seeger explained in another case similarly challenging the Sheriff’s policy, “[t]he Constitution did not require the Sheriff to ship the property to the IDOC, either. The Fourteenth Amendment requires notice and an opportunity for retrieval before destroying personal property. But the Constitution does not require transportation services, or free shipping.” *Elizarri by Perez v. Sheriff of Cook Cnty.*, No. 17 CV 8120, 2023 WL 5348749, at \*13 (N.D. Ill. Aug. 21, 2023). The plaintiffs fail to allege any facts that would make their case distinguishable from the plaintiffs in *Elizarri*.

Accordingly, even accepting that the Sheriff’s failure to send the plaintiffs IDs when they were transferred violated Illinois law, there are no allegations supporting a substantive due process violation. Like in *Kelley-Lomax*, the plaintiffs’ claims do not turn on how much time they were afforded to retrieve their items. The plaintiffs only challenge the Sheriff’s initial violation of state law as the basis for establishing a violation of the Constitution. (See R. 19 ¶¶ 8-9; R. 24 at 7-8.) But again, a violation of state law does not equal a violation of the Constitution. *C.L. for Urb. Believers*, 342 F.3d at 767. Because the plaintiffs’ allegations are otherwise indistinguishable from those presented in *Kelley-Lomax*, the plaintiffs have failed to plausibly allege a substantive due process violation.

Finally, the plaintiffs’ Fifth Amendment Takings Clause claim is foreclosed by *Conyers*, in which the Seventh Circuit also rejected a Fifth Amendment challenge to a similar prison policy. In *Conyers*, the Seventh Circuit acknowledged that its Fifth Amendment analysis was “to a degree, intertwined with the adequacy of the notice,” the plaintiffs had received. 10 F.4th at 712. Specifically, the plaintiffs had received notice that their property would be destroyed if unclaimed during the thirty-day recovery period. *Id.* This notice “entitle[d] the City to treat as abandoned any property that remain[ed] unclaimed after 30 days [had] gone by.” *Id.* Here, too, the plaintiffs have not alleged facts to support an inference that their property was not properly considered as abandoned. Exhibit 1 shows that they were told exactly how to retrieve their property, but did not do so. Accordingly, the plaintiffs have not alleged any facts distinguishing this case from *Conyers*; the plaintiffs’ Fifth Amendment claim fails to state a claim for which relief may be granted.

For the foregoing reasons, the defendants’ motion to dismiss is granted.

Date: 1/3/2024

  
\_\_\_\_\_  
JEREMY C. DANIEL  
United States District Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF ILLINOIS**

ALEXANDER CARTER, et. al

Plaintiff(s),

v.

SHERIFF OF COOK COUNTY, et. al,

Defendant(s).

Case No. 22 CV 1893  
Judge Jeremy C. Daniel

**JUDGMENT IN A CIVIL CASE**

Judgment is hereby entered (check appropriate box):

in favor of plaintiff(s)  
and against defendant(s)  
in the amount of \$ ,

which  includes pre-judgment interest.  
 does not include pre-judgment interest.

Post-judgment interest accrues on that amount at the rate provided by law from the date of this judgment.

Plaintiff(s) shall recover costs from defendant(s).

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in favor of defendant(s)  
and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

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other: Judgment entered in favor of defendants and against plaintiffs.

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This action was (*check one*):

tried by a jury with Judge presiding, and the jury has rendered a verdict.  
 tried by Judge without a jury and the above decision was reached.  
 decided by Judge Jeremy C. Daniel on a motion to dismiss.

Date: 1/3/2024

Thomas G. Bruton, Clerk of Court

Vettina Franklin, Deputy Clerk

APPEAL,JANTZ,TERMED

**United States District Court**  
**Northern District of Illinois - CM/ECF NextGen 1.7.1.1 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:22-cv-01893**  
**Internal Use Only**

Carter v. Cook County et al  
Assigned to: Honorable Jeremy C. Daniel  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 04/12/2022  
Date Terminated: 01/03/2024  
Jury Demand: Plaintiff  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Alexander Carter**

represented by **Joel A. Flaxman**  
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**Plaintiff**

**Lamarcus J. Cargill**

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*ATTORNEY TO BE NOTICED*

**Kenneth N Flaxman**  
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**Plaintiff**

**Arland Scott**

represented by **Joel A. Flaxman**  
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**Kenneth N Flaxman**  
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**Plaintiff****Deshawn Wright**represented by **Joel A. Flaxman**  
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*ATTORNEY TO BE NOTICED***Kenneth N Flaxman**  
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*ATTORNEY TO BE NOTICED***Plaintiff****Charles Smith**represented by **Joel A. Flaxman**  
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*ATTORNEY TO BE NOTICED***Kenneth N Flaxman**  
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*ATTORNEY TO BE NOTICED***Plaintiff****Jimmy D Hitchcock**represented by **Joel A. Flaxman**  
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*ATTORNEY TO BE NOTICED***Kenneth N Flaxman**  
(See above for address)  
*ATTORNEY TO BE NOTICED***Plaintiff****Amy Won**represented by **Joel A. Flaxman**  
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*ATTORNEY TO BE NOTICED***Kenneth N Flaxman**  
(See above for address)  
*ATTORNEY TO BE NOTICED***Plaintiff****Dashaun Riley**represented by **Joel A. Flaxman**  
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*ATTORNEY TO BE NOTICED***Kenneth N Flaxman**  
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*ATTORNEY TO BE NOTICED***Plaintiff****Eugene Washington**represented by **Joel A. Flaxman**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****Sheriff of Cook County**represented by **Edward M. Brener**

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*LEAD ATTORNEY*

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**Defendant****Cook County Illinois**represented by **Edward M. Brener**

(See above for address)

TERMINATED: 02/15/2023

LEAD ATTORNEY

**Elizabeth Francine Brogan**

(See above for address)

TERMINATED: 10/27/2022

**Jessica Wasserman**

(See above for address)

ATTORNEY TO BE NOTICED

**Rebecca J Laue**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Select <u>all</u> / <u>clear</u>	Docket Text
04/12/2022	<a href="#">1</a>	<input type="checkbox"/>	COMPLAINT filed by Alexander Carter; Jury Demand. Filing fee \$ 402, receipt number 0752-19338265.(Flaxman, Kenneth) (Entered: 04/12/2022)
04/12/2022	<a href="#">2</a>	<input type="checkbox"/>	CIVIL Cover Sheet (Flaxman, Kenneth) (Entered: 04/12/2022)
04/13/2022			CASE ASSIGNED to the Honorable Mary M. Rowland. Designated as Magistrate Judge the Honorable Beth W. Jantz. Case assignment: Random assignment. (jxj, ) (Entered: 04/13/2022)
04/13/2022			CLERK'S NOTICE: Pursuant to Local Rule 73.1(b), a United States Magistrate Judge of this court is available to conduct all proceedings in this civil action. If all parties consent to have the currently assigned United States Magistrate Judge conduct all proceedings in this case, including trial, the entry of final judgment, and all post-trial proceedings, all parties must sign their names on the attached <u>Consent To</u> form. This consent form is eligible for filing only if executed by all parties. The parties can also express their consent to jurisdiction by a magistrate judge in any joint filing, including the Joint Initial Status Report or proposed Case Management Order. (jxj, ) (Entered: 04/13/2022)
04/13/2022	<a href="#">3</a>	<input type="checkbox"/>	ATTORNEY Appearance for Plaintiff Alexander Carter by Kenneth N Flaxman (Flaxman, Kenneth) (Entered: 04/13/2022)
04/18/2022	<a href="#">4</a>	<input type="checkbox"/>	ATTORNEY Appearance for Plaintiff Alexander Carter by Joel A. Flaxman (Flaxman, Joel) (Entered: 04/18/2022)
04/18/2022			SUMMONS Issued as to Defendants Sheriff of Cook County, Cook County Illinois (jxj, ) (Entered: 04/18/2022)
04/29/2022	<a href="#">5</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: On or before 6/27/22, the parties shall file a joint initial status report. A template for the Initial Status Report, setting forth the information required, may be found

			at <a href="http://www.ilnd.uscourts.gov/Judges.aspx">http://www.ilnd.uscourts.gov/Judges.aspx</a> by clicking on Judge Rowland's name and then again on the link entitled 'Initial Status Conference.' The litigants are further ordered to review all of Judge Rowland's standing orders and the information available on her webpage. The court will enter a scheduling order in response. Mailed notice. (dm, ) (Entered: 04/29/2022)
05/13/2022	<a href="#">6</a>	<input type="checkbox"/>	SUMMONS Returned Executed by Alexander Carter as to Cook County Illinois on 5/11/2022, answer due 6/1/2022. (Flaxman, Joel) (Entered: 05/13/2022)
05/31/2022	<a href="#">7</a>	<input type="checkbox"/>	ATTORNEY Appearance for Defendants Sheriff of Cook County, Cook County Illinois by Edward M. Brener (Brener, Edward) (Entered: 05/31/2022)
05/31/2022	<a href="#">8</a>	<input type="checkbox"/>	ATTORNEY Appearance for Defendants Sheriff of Cook County, Cook County Illinois by Elizabeth Francine Brogan (Brogan, Elizabeth) (Entered: 05/31/2022)
05/31/2022	<a href="#">9</a>	<input type="checkbox"/>	MOTION by Defendants Sheriff of Cook County, Cook County Illinois for extension of time to file answer regarding complaint <a href="#">1</a> <i>[Unopposed]</i> (Brener, Edward) (Entered: 05/31/2022)
06/01/2022	<a href="#">10</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: Defendants' unopposed motion for extension of time to answer compliant or otherwise plead <a href="#">9</a> is granted. Defendants' deadline to answer the Complaint or otherwise plead is extended to June 28, 2022. The deadline of 6/27/22 for parties to file a joint initial status report <a href="#">5</a> is reset to 7/19/22. Mailed notice. (dm, ) (Entered: 06/01/2022)
06/28/2022	<a href="#">11</a>	<input type="checkbox"/>	MOTION by Defendants Sheriff of Cook County, Cook County Illinois to stay regarding complaint <a href="#">1</a> (Brener, Edward) (Entered: 06/28/2022)
06/30/2022	<a href="#">12</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: Defendants' Motion to stay <a href="#">11</a> is granted. Defendants' obligation to answer or otherwise plead is stayed. Parties should promptly notify the Court by filing a written status report when the motion to consolidate in the Elizarri matter is decided. The joint status report date of 7/19/22 is stricken and will be reset if necessary. Mailed notice. (dm, ) (Entered: 06/30/2022)
07/18/2022	<a href="#">13</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: Parties should file a status report updating the court on the status of consolidation by 11/18/22. Mailed notice. (dm, ) (Entered: 07/18/2022)
10/18/2022	<a href="#">14</a>	<input type="checkbox"/>	STATUS Report ( <i>Joint Status Report</i> ) by Alexander Carter (Flaxman, Joel) (Entered: 10/18/2022)
10/19/2022	<a href="#">15</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: The court has reviewed the joint status report. The motion to consolidate this matter with Elizarri v. Sheriff, 17-cv-8120 was denied on 10/11/22. Plaintiff is granted leave to file an amended complaint by 11/8/22. Defendants to response to the amended complaint by 12/6/22. On or before 1/10/23, the parties shall file a joint initial status report. A template for the Initial Status Report, setting forth the information required, may be found at <a href="http://www.ilnd.uscourts.gov/Judges.aspx">http://www.ilnd.uscourts.gov/Judges.aspx</a> by clicking on Judge Rowland's

			name and then again on the link entitled 'Initial Status Conference.' The litigants are further ordered to review all of Judge Rowland's standing orders and the information available on her webpage. The court will enter a scheduling order in response. Mailed notice. (dm, ) (Entered: 10/19/2022)
10/26/2022	<a href="#">16</a>	<input type="checkbox"/>	ATTORNEY Appearance for Defendants Sheriff of Cook County, Cook County Illinois by Rebecca J Laue (Laue, Rebecca) (Entered: 10/26/2022)
10/26/2022	<a href="#">17</a>	<input type="checkbox"/>	MOTION by Attorney Elizabeth F. Brogan to withdraw as attorney for Sheriff of Cook County, Cook County Illinois. No party information provided (Brogan, Elizabeth) (Entered: 10/26/2022)
10/27/2022	<a href="#">18</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: Motion to withdraw appearance <a href="#">17</a> is granted. Elizabeth F. Brogan's appearance is withdrawn on behalf of Defendants. Mailed notice. (dm, ) (Entered: 10/27/2022)
11/08/2022	<a href="#">19</a>	<input type="checkbox"/>	AMENDED complaint by Alexander Carter, Lamarcus J. Cargill, Arland Scott, Deshawn Wright, Charles Smith, Jimmy D Hitchcock, Amy Won, Dashaun Riley, Eugene Washington against All Defendants (Flaxman, Kenneth) (Entered: 11/08/2022)
11/09/2022	<a href="#">20</a>	<input type="checkbox"/>	ATTORNEY Appearance for Plaintiffs Lamarcus J. Cargill, Alexander Carter, Jimmy D Hitchcock, Dashaun Riley, Arland Scott, Charles Smith, Eugene Washington, Amy Won, Deshawn Wright by Kenneth N Flaxman (Flaxman, Kenneth) (Entered: 11/09/2022)
11/10/2022	<a href="#">21</a>	<input type="checkbox"/>	ATTORNEY Appearance for Plaintiffs Lamarcus J. Cargill, Alexander Carter, Jimmy D Hitchcock, Dashaun Riley, Arland Scott, Charles Smith, Eugene Washington, Amy Won, Deshawn Wright by Joel A. Flaxman (Flaxman, Joel) (Entered: 11/10/2022)
12/05/2022	<a href="#">22</a>	<input type="checkbox"/>	MOTION by Defendants Sheriff of Cook County, Cook County Illinois for extension of time to file answer regarding amended complaint <a href="#">19</a> [ <i>Unopposed</i> ] (Brener, Edward) (Entered: 12/05/2022)
12/07/2022	<a href="#">23</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: Defendants Sheriff of Cook County, Cook County Illinois motion for extension of time <a href="#">22</a> is granted. The deadline is extended until 12/20/22. Mailed notice (gel, ) (Entered: 12/07/2022)
12/20/2022	<a href="#">24</a>	<input type="checkbox"/>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendants Sheriff of Cook County, Cook County Illinois [ <i>Plaintiff's First Amended Complaint (Dkt. 19)</i> ] (Brener, Edward) (Entered: 12/20/2022)
12/21/2022	<a href="#">25</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: Plaintiff's response to Defendants' motion to dismiss <a href="#">24</a> is due 1/18/23. Defendants' reply is due 2/8/23. The court will rule by mail. Mailed notice. (dm, ) (Entered: 12/21/2022)
12/29/2022	<a href="#">26</a>	<input type="checkbox"/>	ANNUAL REMINDER: Pursuant to <a href="#">Local Rule 3.2 (Notification of Affiliates)</a> , any nongovernmental party, other than an individual or sole proprietorship, must file a statement identifying all its affiliates known to the party after diligent review or, if the party has identified no affiliates, then a statement reflecting that fact must be filed. An affiliate is defined as follows: any entity or individual owning, directly or indirectly (through

			ownership of one or more other entities), 5% or more of a party. The statement is to be electronically filed as a PDF in conjunction with entering the affiliates in CM/ECF as prompted. As a reminder to counsel, parties must supplement their statements of affiliates within thirty (30) days of any change in the information previously reported. This minute order is being issued to all counsel of record to remind counsel of their obligation to provide updated information as to additional affiliates if such updating is necessary. If counsel has any questions regarding this process, this <a href="#">LINK</a> will provide additional information. Signed by the Executive Committee on 12/29/2022: Mailed notice. (tg, ) (Entered: 12/30/2022)
01/11/2023	<a href="#">27</a>	<input type="checkbox"/>	STATUS Report ( <i>Joint Initial Status Report</i> ) by Alexander Carter (Flaxman, Joel) (Entered: 01/11/2023)
01/18/2023	<a href="#">28</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: The court has reviewed the joint initial status report. The court will set a status following ruling on the motion to dismiss, if appropriate. Mailed notice. (dm, ) (Entered: 01/18/2023)
01/18/2023	<a href="#">29</a>	<input type="checkbox"/>	RESPONSE by Alexander Carterin Opposition to MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendants Sheriff of Cook County, Cook County Illinois [ <i>Plaintiff's First Amended Complaint (Dkt. 19)</i> ] <a href="#">24</a> (Flaxman, Kenneth) (Entered: 01/18/2023)
01/31/2023	<a href="#">30</a>	<input type="checkbox"/>	ATTORNEY Appearance for Defendants Sheriff of Cook County, Cook County Illinois by Jessica Wasserman (Wasserman, Jessica) (Entered: 01/31/2023)
02/08/2023	<a href="#">31</a>	<input type="checkbox"/>	REPLY by Sheriff of Cook County, Cook County Illinois to MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendants Sheriff of Cook County, Cook County Illinois [ <i>Plaintiff's First Amended Complaint (Dkt. 19)</i> ] <a href="#">24</a> , response in opposition to motion <a href="#">29</a> (Brener, Edward) (Entered: 02/08/2023)
02/14/2023	<a href="#">32</a>	<input type="checkbox"/>	MOTION by Attorney Edward M. Brener to withdraw as attorney for Sheriff of Cook County, Cook County Illinois. No party information provided (Brener, Edward) (Entered: 02/14/2023)
02/15/2023	<a href="#">33</a>	<input type="checkbox"/>	MINUTE entry before the Honorable Mary M. Rowland: Motion to withdraw Edward M. Brener as counsel for defendants <a href="#">32</a> is granted. Edward M. Brener's appearance and notifications to him in this matter are terminated. Mailed notice. (dm, ) (Entered: 02/15/2023)
06/27/2023	<a href="#">34</a>	<input type="checkbox"/>	EXECUTIVE COMMITTEE ORDER: GENERAL ORDER 23-0024: IT APPEARING THAT, the civil cases on the attached list have been selected for reassignment to form the initial calendar of the Honorable Jeremy C. Daniel; therefore IT IS HEREBY ORDERED that the attached list of 282 cases be reassigned to the Honorable Jeremy C. Daniel; and IT IS FURTHER ORDERED that all parties affected by this Order must review the Honorable Jeremy C. Daniel's webpage on the Court's website for the purpose of reviewing instructions regarding scheduling and case management procedures; and IT IS FURTHER ORDERED that any civil case that has been reassigned pursuant to this Order will not be randomly reassigned to create the initial calendar of a new district judge for twelve

			months from the date of this Order; and IT IS FURTHER ORDERED that the Clerk of Court is directed to add the Honorable Jeremy C. Daniel to the Court's civil case assignment system during the next business day, so that he shall receive a full share of such cases; and IT IS FURTHER ORDERED that the Clerk of Court is directed to add the Honorable Jeremy C. Daniel to the Court's criminal case assignment system twelve (12) months so that Judge Daniel shall thereafter receive a full share of such cases. Case reassigned to the Honorable Jeremy C. Daniel for all further proceedings. Honorable Mary M. Rowland no longer assigned to the case. Signed by Honorable Rebecca R. Pallmeyer on 6/27/2023.(tg, ) (Entered: 06/27/2023)
12/28/2023	<a href="#">35</a>	<input type="checkbox"/>	ANNUAL REMINDER: Pursuant to <a href="#">Local Rule 3.2 (Notification of Affiliates)</a> , any nongovernmental party, other than an individual or sole proprietorship, must file a statement identifying all its affiliates known to the party after diligent review or, if the party has identified no affiliates, then a statement reflecting that fact must be filed. An affiliate is defined as follows: any entity or individual owning, directly or indirectly (through ownership of one or more other entities), 5% or more of a party. The statement is to be electronically filed as a PDF in conjunction with entering the affiliates in CM/ECF as prompted. As a reminder to counsel, parties must supplement their statements of affiliates within thirty (30) days of any change in the information previously reported. This minute order is being issued to all counsel of record to remind counsel of their obligation to provide updated information as to additional affiliates if such updating is necessary. If counsel has any questions regarding this process, this <a href="#">LINK</a> will provide additional information. Signed by the Executive Committee on 12/28/2023: Mailed notice. (tg, ) (Entered: 12/29/2023)
01/03/2024	<a href="#">36</a>	<input type="checkbox"/>	ORDER. The defendants' motion to dismiss (R. <a href="#">24</a> ) is granted. Signed by the Honorable Jeremy C. Daniel on 1/3/2024. Civil case terminated. Mailed notice(vcf, ) (Entered: 01/03/2024)
01/03/2024	<a href="#">37</a>	<input type="checkbox"/>	ENTERED JUDGMENT. Mailed notice(vcf, ) (Entered: 01/03/2024)
01/05/2024	<a href="#">38</a>	<input type="checkbox"/>	NOTICE of appeal by Lamarcus J. Cargill, Alexander Carter, Jimmy D Hitchcock, Dashaun Riley, Arland Scott, Charles Smith, Eugene Washington, Amy Won, Deshawn Wright regarding orders <a href="#">36</a> , <a href="#">37</a> Filing fee \$ 605, receipt number AILNDC-21492267. Receipt number: n (Flaxman, Kenneth) (Entered: 01/05/2024)
01/05/2024	<a href="#">39</a>	<input type="checkbox"/>	DOCKETING Statement by Alexander Carter regarding notice of appeal, <a href="#">38</a> (Flaxman, Kenneth) (Entered: 01/05/2024)
01/05/2024	<a href="#">40</a>	<input type="checkbox"/>	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal, <a href="#">38</a> . (jh, ) (Entered: 01/05/2024)

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