

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CRISTINA NICHOLE IGLESIAS)	
(a.k.a. CRISTIAN NOEL IGLESIAS),)	
)	
Plaintiff,)	
)	Case No. 19-cv-00415-RJN
v.)	
)	
IAN CONNORS, <i>et al.</i> ,)	
)	
Defendants.)	

FEDERAL BUREAU OF PRISONS' RESPONSE TO PLAINTIFF'S MOTION FOR RECONSIDERATION

Plaintiff Cristina Nichole Iglesias has moved for reconsideration of the Court's screening order and seeks reinstatement of the Federal Bureau of Prisons (BOP) as a defendant in this case. Dkt. No. 74. Plaintiff does not seek the reinstatement of the official capacity claims against the individual federal officials. Indeed, the inclusion of official capacity claims brought against individual federal officials would be redundant with the claims brought against BOP. *Kentucky v. Graham*, 473 U.S. 165-67 (1985); *Jungels v. Pierce*, 825 F.2d 1127, 1129 (7th Cir. 1987); *Kielbasa v. Ill. E.P.A.*, No. 02-C-4223, 2003 WL 880995, at *3 (N.D. Ill. Mar. 2, 2003) (dismissing claims against the agency's director in her official capacity as redundant to claims against the agency). BOP agrees with the Plaintiff that the amended complaint raised allegations against BOP in its official capacity under the Eighth Amendment. To the extent the Court's screening order dismissed BOP on that basis, Defendants do not object to Plaintiff's motion. Defendants reserve the right to move to dismiss the official capacity claims at the appropriate time.

Dated: November 13, 2020

Respectfully submitted,

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/s/ Joshua E. Gardner

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