

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

FRANCIS ANDERSON,	:	
	:	
Plaintiff,	:	
	:	
V.	:	PRISONER
	:	Case No. 3:04cv943(RNC)
	:	
TOM LATEER, ET AL.,	:	
	:	
	:	
Defendants.	:	

RULING AND ORDER

Plaintiff Francis Anderson brings this civil rights action pro se and in forma pauperis pursuant to 28 U.S.C. § 1915. He alleges that defendants were deliberately indifferent to his serious medical need. On September 20, 2004, the court determined that the complaint "offer[ed] no indication that plaintiff has a viable Eighth Amendment claim" and dismissed the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) without prejudice to refile. Upon review of plaintiff's amended complaint, the court concludes that plaintiff has not cured the deficiencies in his original complaint. Accordingly, this case is dismissed with prejudice.

In his amended complaint, plaintiff characterized his actions as "attempted suicide using lethal means" and states that, after cutting himself in the presence of defendant Lateer, he "passed out and hit his head." He also alleges that defendant

Clerk saw him on the floor of his cell but did not provide any medical treatment. Plaintiff states that he was taken to the medical unit at 12:00 p.m. and received medical treatment from Dr. Wright. These allegations are contradicted by the exhibits attached to the amended complaint.

An entry in plaintiff's medical records, made by defendant Lateer at 9:45 a.m., indicates that plaintiff scratched his arm with part of a zipper. Defendant Lateer admitted plaintiff to the medical infirmary on a suicide watch. The medical record and a medical incident report completed by Nurse Margaret Clark, presumably defendant M. Clerk, at 10:25 a.m. indicated that plaintiff was treated in the medical infirmary for three superficial scratches on his arm. Plaintiff was seen at 10:30 a.m. by Dr. Paul Chaplin for psychological evaluation. Plaintiff reported that "he would continue to cut himself until he is transferred to Garner CI." Dr. Chaplin concluded that plaintiff was not suicidal. Instead, he was attempting to influence housing decisions. Dr. Wright, who also described the cuts as superficial, applied steri strips to the cuts later that afternoon.

The court concludes that plaintiff has presented no evidence suggesting that any delay in receiving stitches caused his cut to worsen, inflicted needless pain, or caused a lasting injury. Further, even if plaintiff had provided such evidence, the

exhibits attached to the amended complaint suggest that defendants did not know that a delay in receiving stitches involved a substantial risk of harm to plaintiff's health.

Because plaintiff has not cured the deficiencies identified in the September 20, 2004 ruling, this action is dismissed with prejudice. The Clerk will close the file.

So ordered.

Dated this \_\_\_\_\_ day of November, 2004, at Hartford, Connecticut.

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Robert N. Chatigny  
United States District Judge