

1991 WL 140916

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United States District Court, N.D. Illinois, Eastern  
Division.

Willie WILLIAMS, etc., Plaintiffs,  
v.  
Thomas ROTH, et al., Defendants.

No. 81 C 355. | July 23, 1991.

**Opinion**

***MEMORANDUM ORDER***

SHADUR, District Judge.

\*1 This Court has received from James Gunn (“Gunn”),<sup>1</sup> formerly an inmate at Stateville Correctional Center (“Stateville”) and now imprisoned in Danville, Illinois, a self-prepared Motion for Reconsideration of Filing Deadline and for a Finding of Eligibility for Compensation. Defendants have filed a response to the

Footnotes

- 1 Gunn’s Illinois Department of Corrections (“Department”) number designation is N-22876. To avoid any further problems in communicating with him, all further communications from Department should also bear that number.
- 2 Defendants properly ask that this order should not be construed to create any precedent as to any other inmate who did not make a timely filing of his own proof of claim. That should be understood as implicit in this order.

motion, which reflects that Gunn’s name had been mistakenly omitted from the list of class members provided with mailed notice—the result of “an inadvertent error in the updating of movant Gunn’s last known address.” Defendants’ Response 1 also represents:

To the best of defendant’s [sic] information are [sic] and belief, this is a unique occurrence, affecting only movant Gunn.

In recognition of the mistake, Department has agreed to process Gunn’s claim without objection, in the same way as though it had been timely filed in accordance with the approved Settlement Agreement, so long as Gunn files his proof of claim within 15 days of this order. Because of the difficulties that inmates often encounter in the receipt and transmittal of mail, however, this Court believes that a somewhat longer period should be provided. Accordingly Gunn is granted until August 12, 1991 to file his proof of claim, and if it is timely filed Department is ordered to process the claim without objection under the terms of the Settlement Agreement. To the extent that Gunn seeks other relief by his motion, it is denied.<sup>2</sup>