

**NONPRECEDENTIAL DISPOSITION**

To be cited only in accordance with FED. R. APP. P. 32.1

**United States Court of Appeals**

**For the Seventh Circuit**

**Chicago, Illinois 60604**

Submitted January 16, 2025\*

Decided January 17, 2025

**Before**

DIANE S. SYKES, *Chief Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 24-2568

TODD BONDS,  
*Plaintiff-Appellant,*

*v.*

HOLLYWOOD CASINO AND HOTEL,  
et al.,  
*Defendants-Appellees.*

Appeal from the United States District  
Court for the Southern District of  
Indiana, Indianapolis Division.

No. 1:22-cv-02279-JPH-TAB

James Patrick Hanlon,  
*Judge.*

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\* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

## ORDER

Todd Bonds, a black man, asserts that Hollywood Casino and Hotel and several of its employees refused him service at the casino's bar because of his race. The district court entered summary judgment for the defendants because the undisputed evidence showed that Bonds rejected the bartender's offer to serve him. We affirm.

We briefly recite the facts in the light most favorable to Bonds, the losing party at summary judgment. *McCottrell v. White*, 933 F.3d 651, 661–62 (7th Cir. 2019). In late 2022, Bonds went to a bar at the Hollywood Casino and Hotel in Lawrenceburg, Indiana. Bonds testified in his deposition that a bartender asked him, “do you need anything?” in a way that he interpreted as rude and racially charged, causing him to respond, “no, not with that attitude.” The bartender then started yelling at him about mistreating bar staff and called security. When security arrived, they told Bonds that he needed to leave, and he did so immediately.

Bonds filed suit the next day. The district judge screened his complaint, *see* 28 U.S.C. § 1915(e)(2), and allowed him to proceed with a race discrimination claim under 42 U.S.C. § 1981 against the casino, the bar, and the bartender. The defendants answered the complaint, which Bonds moved to amend 75 days later, seeking to add claims related to his attempt to introduce a trivia night at the casino. The district judge referred the motion to a magistrate judge, *see* 28 U.S.C. § 636(b)(1)(A), who denied the motion. Recognizing that the motion was outside the 21-day timeframe for an amendment as a matter of right, he explained that the motion did not identify the purpose of the proposed amendment or the basis for the additional claims. *See* FED. R. CIV. P. 15(a). Nonetheless, he permitted Bonds to renew the motion within 14 days.

Bonds did not object to this ruling and did not file a renewed motion until a month later. He stated that he had not received a copy of the order because he had been out of town without access to his post office box. He also noted that he had emailed defendants' counsel of his travel ahead of time and asked that they email him any court orders. (Defendants' counsel rejected the request.) Bonds did not file a notice of change of address with the court.

The magistrate judge denied Bonds's renewed motion as untimely. The judge discredited Bonds's explanation, as he “ha[d] never expressed [to the court] any prior difficulties with receiving notifications, until now when faced with the fact of his untimely filing.” The judge added that he also could not “decipher the legal and factual basis” for the new claims, which “appear[ed] to be a shotgun blast of futility.”

Bonds did not object to this order until months later, when he filed a motion for reconsideration. The motion was summarily denied.

Eventually, both parties filed cross motions for summary judgment. The district judge granted summary judgment for the defendants based on Bonds's failure to establish a prima facie case under § 1981. One requirement under § 1981 is that a plaintiff show that he was deprived of the right to make and enforce a contract, such as a retail purchase. *Morris v. Office Max, Inc.*, 89 F.3d 411, 414 (7th Cir. 1996). The district judge determined that Bonds provided no evidence from which a jury could conclude that he was denied service; to the contrary, he conceded at his deposition that the bartender specifically asked if he "needed anything" and Bonds replied "no." Similarly, security's request that Bonds leave the casino did not deny him the right to contract because he did not attempt to make any other purchases once asked to leave. *See Bagley v. Ameritech Corp.*, 220 F.3d 518, 520–21 (7th Cir. 2000).

On appeal, Bonds first contests the magistrate judge's authority to deny his motion to amend because he never consented to the magistrate judge's handling of the matter. But magistrate judges are authorized to decide non-dispositive pretrial motions, such as a motion to amend a complaint, regardless of the parties' consent. *See* 28 U.S.C. § 636(b)(1)(A); *Farmer v. Litscher*, 303 F.3d 840, 843 (7th Cir. 2002).

Bonds also argues that the magistrate judge failed to liberally construe his motion to amend, as required given his pro se status. But because Bonds did not object to the order within 14 days, he waived his right to challenge it on appeal. *See* FED. R. CIV. P. 72(a); *Foreman v. Wadsworth*, 844 F.3d 620, 625 (7th Cir. 2016). Bonds asks us to overlook his waiver, arguing that defendants' counsel knew it was impossible for him to timely object because he had left town and was unable to access his post office box. But Bonds was responsible for monitoring his case, *Shaffer v. Lashbrook*, 962 F.3d 313, 316–17 (7th Cir. 2020), and apprising the court of any change in address, *see Salata v. Weyerhaeuser Co.*, 757 F.3d 695, 700 (7th Cir. 2014). Defendants' counsel had no obligation to manage the docket on Bonds's behalf.

As for the summary judgment ruling itself, Bonds argues only that he was denied the right to contract when the casino refused to let him host a trivia night on the premises. But this argument does not bear on the subject matter of the operative complaint—the § 1981 claim about the bar service. The magistrate judge properly denied as untimely Bonds's request to amend his complaint to add allegations concerning a trivia night.

Bonds does not otherwise argue that summary judgment was improperly entered on his claim, and we have no reason to disturb the judgment. *See* FED. R. APP. P. 28(a)(8); *Behning v. Johnson*, 56 F.4th 1137, 1140 (7th Cir. 2023).

AFFIRMED