

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ANGELA A. SCHEIT,

Plaintiff,

v.

Case No. 22-CV-1138

CHRISSTOPHER SCHMALING, et al.,

Defendants.

ORDER

On June 5, 2023, the court entered a screening order allowing *pro se* plaintiff Angela A. Scheit to proceed on an Eighth Amendment deliberate indifference claim against defendants Christopher Schmaling and Latisha Ramus. (ECF No. 20.) The court dismissed Dr. Lenard Todd because Scheit did not allege that as a supervisor he was aware of the alleged inadequate care. (*Id.*) On October 27, 2023, Scheit filed a motion to reconsider dismissing Dr. Todd. (ECF No. 48.) Scheit states that she now has information that Dr. Todd was responsible for overseeing all medical care employees.

In order to add these allegations, Scheit would have to file a motion to amend her complaint, outlining what she is adding and attach a full, complete amended complaint to the motion. Currently there are two motions for summary judgment on the grounds that Scheit failed to exhaust her administrative remedies—specifically, that she did not file a grievance related to any of the allegations in her amended complaint. (ECF Nos. 41, 50.) If the court grants summary judgment in favor of the defendants, the case will be

dismissed. As such, it is more efficient to resolve the motions for summary judgment on exhaustion grounds first. If the case survives summary judgment on exhaustion grounds, Scheit may file a motion to amend her complaint to add the allegations against Dr. Todd.

Therefore, her motion for reconsideration (ECF No. 48) is **DENIED**.

Dated at Milwaukee, Wisconsin this 14th day of November, 2023.

BY THE COURT

A handwritten signature in black ink that reads "William E. Duffin". The signature is written in a cursive style with a horizontal line underneath the name.

WILLIAM E. DUFFIN
United States Magistrate Judge