

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NATHAN GILLIS,

Plaintiff,

v.

RICK RAEMISCH, G. GRAMS,
CAPT. ASHWORTH, SGT. MORRISON,
LT. LIND, and JOHN DOES 1-5,

Defendants.

ORDER

09-cv-245-bbc

Plaintiff Nathan Gillis, a prisoner at the Columbia Correctional Institution, is proceeding on claims that (1) defendant Capt. Ashworth violated his right to due process by filing a false conduct report against him; (2) defendants G. Grams and Rick Raemisch violated his right to due process by ignoring his complaints; (3) defendant Lt. Lind violated his right to due process by holding an unfair disciplinary hearing; (4) defendants Grams and Sgt. Morrison subjected him to inhumane conditions of confinement in the DS-1 unit in violation of the Eighth Amendment; and (5) John Doe defendants destroyed plaintiff's religious items in violation of the First Amendment and the Religious Land Use and Institutionalized Persons Act. On June 11, 2010, the court denied plaintiff's motion to compel discovery responses.

Plaintiff has filed three more motions related to discovery. First, in **dk. 138**, plaintiff moves for leave to file an interlocutory appeal of this court's most recent order on plaintiff's discovery and expert witness concerns. Discovery orders are not subject to interlocutory appeal, so leave is **DENIED**.

Next, in **dk. 139**, plaintiff seeks reconsideration by this court of the same order he wishes to appeal. Plaintiff has provided no evidence or argument that persuades me the court erred in its previous order, so the motion for reconsideration is **DENIED**.

Finally, in **dk. 140**, plaintiff asks why a magistrate judge is ruling on his discovery motions when this case is assigned to a district judge, and he asks that I be removed from his case immediately. Pursuant to Local Rule 2(a), which mirrors 28 U.S.C. § 636(b)(1)(A), magistrate judges in this court handle all non-dispositive pretrial matters in this court's civil cases, and will continue to do so in the instant lawsuit. Therefore, this motion also is **DENIED**.

Entered this 14th day of July, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge