

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

RAYMOND D. SHAW,
Plaintiff,

v.

PAUL PERSSON, R.N.,
STEVE HELGERSON, R.N. and
LORI ALSUM, HSM,
Defendants.

OPINION AND ORDER

10-cv-598-slc

This case is currently set for a May 14, 2012 trial on claims that defendants Steve Helgerson and Lori Alsum subjected plaintiff Raymond Shaw to cruel and unusual punishment in violation of the Eighth Amendment when they ignored his severe knee pain from December 11, 2008 to February 23, 2009. Plaintiff has submitted a motion for an extension of time of various pretrial deadlines (plaintiff has met some of these deadlines but not others) as well as a new trial date.

Plaintiff states that he did not receive the court's February 13, 2012 summary judgment order and March 21, 2012 trial preparation order when they were issued, which he claims has hindered his preparation. Plaintiff claims that he noticed from the docket sheet that these orders had been issued, asked for copies from the clerk's office and received these orders on April 2, 2012. Also, plaintiff reports that he has been placed on temporary lock-up status without full access to his legal documents. He asks for a new trial date in late July or August.

Although I agree with the state that plaintiff still should have enough time to prepare for a May 14 trial, and although I already have moved the trial date once to give the parties more prep time, I conclude that there is no harm in giving plaintiff a short extension, although there is no need to push the trial date to August for this reason. The court will set a new trial date, preferably sometime in June or perhaps July, after getting input from the parties.

ORDER

It is ORDERED that:

- (1) Plaintiff's motion for an extension of the pretrial deadlines and for a new trial date, dkt. 84, is GRANTED and the May 14, 2012 trial date is STRICKEN
- (2) Not later than May 1, 2012, the parties may report whether they are available for trial on any of these dates and if they have preferences between them:

June 4, 2012

June 11, 2012

July 2, 2012

July 9, 2012

July 23, 2012
- (3) The deadlines for pretrial submissions (or supplements to the documents the parties have already submitted) as set forth in the March 21, 2012 trial preparation order are extended to May 1, 2012. Responses to these submissions are due May 15, 2012.
- (4) The writ issued for plaintiff's appearance in this court for trial on May 14, 2012 is CANCELED; a new writ will be issued after the trial date is reset.

Entered this 23rd day of April, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge