

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:10-cv-00831-wmc**

Maddox, Cornelius v. Pollard, William et al
Assigned to: District Judge William M. Conley
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/27/2010
Date Terminated: 07/25/2013
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff**Cornelius Maddox**

represented by **Cornelius Maddox**
233092
Waupun Correctional Institution
200 S. Madison St.
P.O. Box 351
Waupun, WI 53963-0351
PRO SE

V.

Defendant**Peter Ericksen**

represented by **Crystal A. Banse**
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707-7857
608-266-0432
Fax: 608-267-8906
Email: banseca@doj.state.wi.us
ATTORNEY TO BE NOTICED

Defendant**Mark S. Stutlehn**

represented by **Crystal A. Banse**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Wendy Bruns**

represented by **Crystal A. Banse**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Dennis Mosher**

represented by **Crystal A. Banse**
(See above for address)
ATTORNEY TO BE NOTICED




















Defendant**Maleah Cummings**
Ph.D.




















represented by **Crystal A. Banse**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**Maria Amarante**
Ph.D.

















represented by **Crystal A. Banse**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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12/27/2010	 1	COMPLAINT against M. Armantae, Baenen, Brant, W. Bruns, Maleah Cummings, Peter Ericksen, Lesatz, D. Mosher, William Pollard, Stutleen filed by Cornelius Maddox. (Case randomly assigned to District Judge William M. Conley.) (Attachments: # 1 Notice of injury and claim, # 2 Exhibit list, # 3 Exhibit A - Offender Complaint, 8/13/08, # 4 Exhibit B - PRC hearing, 10/09/08, # 5 Exhibit C - Review of Assessment and Evaluation, # 6 Exhibit D - Information Request, 3/2/09, # 7 Exhibit E - Complaint WSPF 2009-15506, # 8 Exhibit F - Offender Complaint, 7/8/09, # 9 Exhibit G - Offender Complaint, 7/12/09, # 10 Exhibit H - Offender Complaint, 8/2/09, # 11 Exhibit I - Offender Complaint, 7/12/09, # 12 Exhibit J - WSPF GR Frequently asked questions, # 13 Exhibit K - US Marshals Service receipt and returns, # 14 Exhibit L - Correspondence from Mr. Mosher, # 15 Envelope) (jef) (Entered: 12/28/2010)
01/03/2011		Motion for screening order. (jef),(ps) (Entered: 01/03/2011)
03/04/2011	 2	Letter Requesting Status Update by Plaintiff Cornelius Maddox. (Attachments: # 1 Envelope) (jas),(ps) (Entered: 03/04/2011)
03/07/2011	 3	Letter from court in response to 2 Letter Requesting Status Update by Plaintiff Cornelius Maddox. (elc),(ps) (Entered: 03/07/2011)
03/18/2011	 4	Letter from plaintiff requesting copy of complaint and exhibits. (Attachments: # 1 Envelope) (elc),(ps) (Entered: 03/18/2011)
03/18/2011	 5	Letter from court in response to 4 Letter from plaintiff requesting copy of complaint and exhibits. (elc),(ps) Received \$6.20 payment for copies, receipt #11062, on 6/2/2011 (jef). (Entered: 03/18/2011)
05/10/2011	 6	Letter Requesting Status Update by Plaintiff Cornelius Maddox. (Attachments: # 1 Envelope) (elc),(ps) (Entered: 05/10/2011)
05/11/2011	 7	Letter from court in response to 6 Letter Requesting Status Update by Plaintiff Cornelius Maddox. (elc),(ps) (Entered: 05/11/2011)
06/22/2011	 8	ORDER on ifp request: Plaintiff to submit Trust fund account statement. Trust Fund Account Statement due 7/13/2011. Signed by Magistrate Judge Stephen L. Crocker on 6/22/2011. (jef),(ps) (Entered: 06/22/2011)
07/11/2011	  9	Prisoner Trust Fund Account Statement by Plaintiff Cornelius Maddox. (Attachments: # 1 Order, # 2 Cover Letter, # 3 Envelope) (jef),(ps) (Additional attachment(s) added on 7/11/2011: # 4 IPP Calculation) (jef). (Entered: 07/11/2011)
07/12/2011	 10	ORDER on ifp request: Initial partial filing fee of \$ 118.29 assessed. Initial partial filing fee due 8/1/2011. Signed by Magistrate Judge Stephen L. Crocker on 7/12/2011. (jef),(ps) (Entered: 07/12/2011)
07/26/2011		Filing fee received: \$ 350, receipt number 11628. (jef),(ps) (Entered: 07/26/2011)
07/26/2011		Screening of complaint per PRLA for paid prisoner. (jef),(ps) (Entered: 07/26/2011)
09/26/2011	 11	Letter Requesting Status Update by Plaintiff Cornelius Maddox. (Attachments: # 1 Envelope) (jef),(ps) (Entered: 09/26/2011)
09/30/2011	 12	Letter response from court re: 11 letter requesting status update. (jef),(ps) (Entered: 09/30/2011)
01/23/2012	 13	Letter Requesting Copies by Plaintiff Cornelius Maddox. (Attachments: # 1 Envelope) (elc),(ps) (Entered: 01/23/2012)
01/24/2012	 14	Letter from court in response to 13 Letter Requesting Copies by Plaintiff Cornelius Maddox. (elc),(ps) (Main Document 14 replaced on 1/24/2012) (elc). (Entered: 01/24/2012)
02/13/2012	 15	Letter from plaintiff requesting copies. (Attachments: # 1 Money order, letter from court, # 2 Envelope) (jef),(ps) (Entered: 02/14/2012)

02/13/2012	 16	Letter from court in response to 15 Letter from plaintiff requesting copies. (Attachments: # 1 Money order, letter from court, # 2 Envelope) (jef),(ps) (Entered: 02/14/2012)
03/15/2012	 17	Motion for Screening of Complaint by Plaintiff Cornelius Maddox. (Attachments: # 1 Envelope) (elc),(ps) (Entered: 03/15/2012)
03/27/2012	 18	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendants Peter Ericksen, Mark S. Stutleen, W. Bruns, M. Armantae, Maleah Cummings, D. Mosher. Leave to proceed denied and case dismissed against Lesatz, William Pollard, Baenen and Brant. Materials delivered to DOJ for acceptance of service. Signed by District Judge William M. Conley on 3/27/2012. (jef),(ps) (Main Document 18 replaced on 3/27/2012) (jef). (Entered: 03/27/2012)
04/02/2012	 19	Request for screening by Plaintiff Cornelius Maddox. (Attachments: # 1 Cover Letter, # 2 Envelope) (jef),(ps) Note, no action required, crossed in mail w/ 18 order. (jef) (Entered: 04/03/2012)
04/06/2012	 20	Notice of Appearance filed by Crystal A. Banse for Defendants W. Bruns, Maleah Cummings, Peter Ericksen, D. Mosher, Mark S. Stutleen (Attachments: # 1 Certificate of Service) (Banse, Crystal),(ps) (Entered: 04/06/2012)
04/06/2012	 21	Acceptance of Service by DOJ on behalf of Defendants W. Bruns, Maleah Cummings, Peter Ericksen, D. Mosher, Mark S. Stutleen. Service not accepted on behalf of Maria Amarante. (Banse, Crystal),(ps) (Entered: 04/06/2012)
04/09/2012	 22	Memorandum that for the remainder of this lawsuit, with respect to defendants Erickson, Stutleen, Bruns, Mosher and Cummings, plaintiff need only send a copy of his filings in this case to the court pursuant to an informal service agreement with the Wisconsin Department of Justice. Signed by Magistrate Judge Stephen L. Crocker on 4/9/2012. (jef),(ps) (Entered: 04/09/2012)
04/12/2012	 23	ORDER Directing USMS to Serve Complaint on defendant Maria Amarante. Signed by Magistrate Judge Stephen L. Crocker on 4/12/2012. (jef),(ps) (Entered: 04/12/2012)
04/12/2012	 24	Summons Issued as to Maria Amarante. Forwarded to USMS for service. (jef),(ps) (Entered: 04/12/2012)
05/02/2012	  25	Marshal Service Return Executed. Maria Amarante served on 4/19/2012. (<u>Sealed Document</u>) (jef),(ps) (Entered: 05/02/2012)
05/02/2012	 26	Marshal Service Return Executed - Redacted re: 25 Marshal Service Return Executed. (jef),(ps) (Entered: 05/02/2012)
05/03/2012	 27	ANSWER by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen. (Attachments: # 1 Certificate of Service) (Banse, Crystal),(ps) (Entered: 05/03/2012)
05/03/2012		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 5/24/2012 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Defendants responsible for setting up the call to chambers at (608) 264-5153. [Notice Regarding the Telephone Preliminary Pretrial Conference attached] (elc),(ps) (Entered: 05/03/2012)
05/07/2012	 28	Amended ANSWER by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen. (Attachments: # 1 Certificate of Service) (Banse, Crystal),(ps) (Entered: 05/07/2012)
05/24/2012		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference - Pro Se held on 5/24/2012 [:20] (cak),(ps) (Entered: 05/24/2012)
05/30/2012	 29	Pretrial Conference Order - Dispositive Motions for Failure to Exhaust Administrative Remedies due 7/9/2012. Dispositive Motions due 2/15/2013. Rule 26(a)(3) Disclosures and all motions in limine due 8/9/2013. Objections due 8/23/2013. Final Pretrial Conference set for 9/9/2013 at 08:30 AM. Jury Selection and Trial set for 9/9/2013 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 5/29/2012. (jef),(ps) (Entered: 05/30/2012)
07/02/2012	 30	First Request for Production of Documents by Plaintiff Cornelius Maddox. (Attachments: # 1 Certificate of Service, # 2 Envelope) (elc),(ps) (Entered: 07/02/2012)
10/17/2012	 31	Second Request for Production of Documents by Plaintiff Cornelius Maddox. (Attachments: # 1 Request for admissions as to Peter Ericksen, # 2 Request for admissions as to Maleah Cummings,

		<p># 3 Request for admissions as to Mark Stutleen, # 4 Request for admissions as to Wendy Bruns, # 5 Request for admissions as to Dennis Mosher, # 6 First set of interrogatories as to Wendy Bruns, # 7 First set of interrogatories as to Dennis Mosher, # 8 Certificate of Service, # 9 Envelope) (jef),(ps) (Entered: 10/17/2012)</p>
02/05/2013	32	MOTION FOR SUMMARY JUDGMENT (unsigned) by Plaintiff Cornelius Maddox. (Attachments: # 1 Certificate of Service, # 2 Envelope) (jef),(ps) Returned document to plaintiff for signature, (jef). (Entered: 02/05/2013)
02/05/2013	33	Brief in Support of 32 Motion for Summary Judgment by Plaintiff Cornelius Maddox. (jef),(ps) (Entered: 02/05/2013)
02/05/2013	34	Proposed Findings of Fact filed by Plaintiff Cornelius Maddox re: 32 Motion for Summary Judgment. (jef),(ps) (Entered: 02/05/2013)
02/05/2013	35	Affidavit of Cornelius Maddox re: 32 Motion for Summary Judgment. (Attachments: # 1 Response to plaintiff's request for admissions as to Stutleen, # 2 Response to plaintiff's request for admissions as to Erickson, # 3 Response to plaintiff's request for admissions as to Cummings, # 4 Response to plaintiff's 1st set of interrogatories as to Bruns, # 5 Response to plaintiff's 1st set of interrogatories as to Mosher, # 6 Response to plaintiff's request for admissions as to Mosher) (jef),(ps) (Entered: 02/05/2013)
02/13/2013	36	Motion for Extension of Time by Defendants Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # 1 Certificate of Service) (Banse, Crystal),(ps) (Entered: 02/13/2013)
02/13/2013	37	Affidavit of Crystal A. Banse filed by Defendants Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 36 MOTION for Extension of Time, (Banse, Crystal),(ps) (Entered: 02/13/2013)
02/13/2013	38	** TEXT ONLY ORDER ** Order GRANTING 36 Motion for Extension of Time. Dispositive motions are due by February 22, 2013. Signed by Magistrate Judge Peter A. Oppeneer on 2/13/2013. (elc),(ps) (Entered: 02/13/2013)
02/15/2013	39	Signed copy of 32 MOTION FOR SUMMARY JUDGMENT by Plaintiff Cornelius Maddox. (Attachments: # 1 Envelope) (jef),(ps) (Entered: 02/15/2013)
02/22/2013	40	Cross MOTION FOR SUMMARY JUDGMENT by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen. (Attachments: # 1 Certificate of Service) (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	41	Brief in Support of 40 Motion for Summary Judgment <i>and in response to plaintiff's motion for summary judgment</i> by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	42	Proposed Findings of Fact filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 40 Motion for Summary Judgment (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	43	Response to Proposed Findings of Fact filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 32 Motion for Summary Judgment (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	44	Affidavit of Wendy Bruns filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 40 Motion for Summary Judgment (Attachments: # 1 Exhibit A-inmate classification report) (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	45	Affidavit of Maleah Cummings filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 40 Motion for Summary Judgment (Attachments: # 1 Exhibit 100-certified PSU records) (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	46	Affidavit of Mark Heise filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 40 Motion for Summary Judgment (Banse, Crystal),(ps) (Entered: 02/22/2013)

02/22/2013	 47	Affidavit of Dennis Mosher filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 40 Motion for Summary Judgment (Attachments: # 1 Exhibit A-inmate classification report, # 2 Exhibit B-12.29.08 ltr from Mosher to Maddox) (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	 48	Affidavit of Mark Stutleen filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 40 Motion for Summary Judgment (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	 49	Affidavit of Peter Ericksen filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 40 Motion for Summary Judgment (Attachments: # 1 Exhibit A-movement history) (Banse, Crystal),(ps) (Entered: 02/22/2013)
02/22/2013	  50	Exhibit B to 49 Affidavit, filed by Mark S. Stutleen, Wendy Bruns, Maleah Cummings, Dennis Mosher, Peter Ericksen, Maria Amarante <i>Mental Health Screen (Sealed Document)</i> (Banse, Crystal),(ps) Modified on 2/25/2013 (jaf). (Entered: 02/22/2013)
02/22/2013		Set Deadlines as to 32 MOTION FOR SUMMARY JUDGMENT filed by Plaintiff, 40 Cross MOTION FOR SUMMARY JUDGMENT filed by Defendants. [Pro Se Summary Judgment Procedure attached.] Briefs in Opposition due 3/25/2013. Briefs in Reply due 4/4/2013. (elc),(ps) (Entered: 02/22/2013)
03/22/2013	 51	Motion for Extension of Time by Plaintiff Cornelius Maddox. (Attachments: # 1 Certificate of Service, # 2 Envelope) (jef),(ps) (Entered: 03/22/2013)
03/22/2013	 52	Affidavit of Cornelius Maddox re: 51 MOTION for Extension of Time. (Attachments: # 1 Request for prod. of documents, 3/15/13) (jef),(ps) (Entered: 03/22/2013)
03/22/2013	 53	** TEXT ONLY ORDER ** Plaintiff's 51 request for an extension of time to file his response to defendants' motion for summary judgment is GRANTED IN PART. Plaintiff may have until April 8, 2013 to file his response to defendants' motion for summary judgment. Defendants' reply is due April 18, 2013. Plaintiff's March 15 discovery request is irrelevant to the retaliation claim on which the court granted leave to proceed. Plaintiff should focus his April 8 response on the facts and issues underlying defendants' motion. Signed by Magistrate Judge Stephen L. Crocker on 3/22/2013. (jef),(ps) (Entered: 03/22/2013)
04/04/2013	 54	Second Motion for Extension of Time to respond to summary judgment by Plaintiff Cornelius Maddox. (Attachments: # 1 Certificate of Service, # 2 Cover Letter, # 3 Envelope) (elc),(ps) (Entered: 04/04/2013)
04/04/2013	 55	** TEXT ONLY ORDER ** Order GRANTING IN PART plaintiff's 54 Motion for Extension of Time to respond to defendants' motion for summary judgment. Plaintiff's Brief in Opposition is due 4/22/2013. Defendants' Brief in Reply is due 5/2/2013. Plaintiff will not receive any further extensions of this deadline. Signed by Magistrate Judge Stephen L. Crocker on 4/4/2013. (elc),(ps) (Entered: 04/04/2013)
04/22/2013	 56	Response to Proposed Findings of Fact filed by Plaintiff Cornelius Maddox re: 40 Motion for Summary Judgment. (Attachments: # 1 Certificate of Service (note there was no letter from Lee Crouthers, just the envelope), # 2 Envelope) (jef),(ps) Modified text on 4/22/2013 (jef). (Entered: 04/22/2013)
04/22/2013	 57	Affidavit of Cornelius Maddox re: 40 Motion for Summary Judgment (Attachments: # 1 Undelivered returned envelope from Lee Crouther) (jef),(ps) (Entered: 04/22/2013)
05/02/2013	 58	Brief in Reply by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen in Support of 40 Motion for Summary Judgment (Attachments: # 1 Certificate of Service) (Banse, Crystal),(ps) (Entered: 05/02/2013)
05/02/2013	 59	Reply in Support of Proposed Findings of Fact filed by Defendants Maria Amarante, Wendy Bruns, Maleah Cummings, Peter Ericksen, Dennis Mosher, Mark S. Stutleen re: 40 Motion for Summary Judgment (Banse, Crystal),(ps) (Entered: 05/02/2013)
05/06/2013	 60	Brief in Opposition by Plaintiff Cornelius Maddox re: 40 Motion for Summary Judgment filed by defendants. (Attachments: # 1 Certificate of Service, # 2 Envelope) (jef),(ps) (Entered: 05/06/2013)

05/06/2013	61	Letter regarding late submission re 60 Brief in Opposition, 40 MOTION FOR SUMMARY JUDGMENT by Plaintiff Cornelius Maddox. (Attachments: # 1 Returned envelope) (jef),(ps) (Entered: 05/06/2013)
06/17/2013	62	Letter Requesting Docket Sheet by Plaintiff Cornelius Maddox. Requested docket sheet mailed to plaintiff per this request. (Attachments: # 1 Envelope) (elc),(ps) (Entered: 06/17/2013)
07/24/2013	63	ORDER denying plaintiff's 32 Motion for Summary Judgment; granting defendants' 40 Motion for Summary Judgment. The clerk of the court is directed to enter judgment in favor of defendants and close this case. Signed by District Judge William M. Conley on 7/24/2013. (jef),(ps) (Entered: 07/24/2013)
07/25/2013	64	JUDGMENT entered in favor of defendants dismissing the case. (PAO). (jef),(ps) (Entered: 07/25/2013)
08/22/2013	65	Motion for Reconsideration re 63 Order on Motion for Summary Judgment, by Plaintiff Cornelius Maddox. Note: Document received in the Eastern District of Wisconsin on 8/21/2013 and forwarded to this court. (Attachments: # 1 Cover Letter and Envelope) (elc),(ps) (Entered: 08/22/2013)
09/09/2013	66	Motion for Extension of Time to file a Notice of Appeal pursuant to FRAP 4(5)(A)(ii) and to rescind plaintiff's Rule 59(e) motion filed in this case by Plaintiff Cornelius Maddox. (Attachments: # 1 Certificate of Service, # 2 Cover Letter and Envelope) (elc),(ps) (Entered: 09/09/2013)
09/09/2013	67	Affidavit of Cornelius Maddox re: 66 MOTION for Extension of Time to file Notice of Appeal and to rescind plaintiff's Rule 59(e) motion. (elc),(ps) (Entered: 09/09/2013)
10/16/2013	68	ORDER denying 65 Motion for Reconsideration ; denying 66 Motion for Extension of Time to file notice of appeal and to rescind the Rule 59(e) motion. Signed by District Judge William M. Conley on 10/16/2013. (jef),(ps) (Entered: 10/16/2013)
11/15/2013	69	NOTICE OF APPEAL by Plaintiff Cornelius Maddox as to 64 Judgment, 68 Order. In forma pauperis pending. Docketing Statement filed. (Attachments: # 1 Docketing Statement, # 2 Transcript request form, # 3 Envelope) (jef),(ps) (Entered: 11/15/2013)