

**U.S. District Court  
Western District of Wisconsin (Madison)  
CIVIL DOCKET FOR CASE #: 3:11-cv-00134-wmc**

Cochran, Larry v. Geit, James et al  
Assigned to: District Judge William M. Conley  
Referred to: Magistrate Judge Stephen L. Crocker  
Cause: 28:1331 Federal Question: Bivens Act

Date Filed: 02/22/2011  
Date Terminated: 12/11/2013  
Jury Demand: Plaintiff  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Larry Cochran**

represented by **Larry Cochran**  
08893-027  
Coleman I - USP  
P.O. Box 1033  
Coleman, FL 33521  
PRO SE

V.

**Defendant****James Geit**

represented by **Barbara L Oswald**  
United States Attorney's Office  
660 West Washington Avenue, #303  
Madison, WI 53703  
608-264-5158  
Fax: 608-264-5724  
Email: [barbara.oswald@usdoj.gov](mailto:barbara.oswald@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant****Steve Dutton**

represented by **Barbara L Oswald**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant****Steve Robinson**

represented by **Barbara L Oswald**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant****Derrick Roger****Defendant****Carol Holinka**

represented by **Barbara L Oswald**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant****Greg Fearday**

Date Filed	#	Docket Text
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02/22/2011	<u>1</u>	COMPLAINT against James Geit, Steve Dutton, Steve Robinson, Derrick Roger and Carol Holinka, filed by Larry Cochran. (Case non-randomly assigned to District Judge William M. Conley.) (Attachments: # <u>1</u> List of Attachments, # <u>2</u> Attachment 1 – Administrative Remedies, # <u>3</u> Attachment 2 – Administrative Tort Claim, # <u>4</u> Attachment 3 – Medical Records – Part 1, # <u>5</u> Attachment 3 – Medical Records – Part 2, # <u>6</u> Cover Letter and Envelope) (elc) (Entered: 02/23/2011)
02/22/2011	<u>2</u>	Motion for Leave to Proceed in forma pauperis Pursuant to 28 U.S.C. 1915(g) by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Exhibits in Support) (elc),(ps) (Entered: 02/23/2011)
02/22/2011	<u>3</u>	Motion and affidavit for Leave to Proceed without prepayment of fees by Plaintiff Larry Cochran. (elc),(ps) Terminated motion on 8/11/2011 (jef). (Entered: 02/23/2011)
02/22/2011	<u>4</u>	Prisoner Trust Fund Account Statement by Plaintiff Larry Cochran. (elc),(ps) (Entered: 02/23/2011)
02/22/2011	<u>5</u>	Motion to Appoint Counsel by Plaintiff Larry Cochran. (Attachments: # <u>1</u> List of Counsel Contacted and Rejection Letter) (elc),(ps) (Entered: 02/23/2011)
02/22/2011	<u>6</u>	Motion for Service by U.S. Marshal Service by Plaintiff Larry Cochran. (elc),(ps) (Entered: 02/23/2011)
03/01/2011	<u>7</u>	Letter Requesting Status Update by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Cover Letter and Envelope) (elc),(ps) (Entered: 03/01/2011)
03/01/2011	<u>8</u>	Letter from court in response to <u>7</u> Letter Requesting Status Update by Plaintiff Larry Cochran.(elc),(ps) (Entered: 03/01/2011)
03/09/2011	<u>9</u>	Affidavit of Larry Cochran in Support of Bivens Action. (Attachments: # <u>1</u> Cover Letters, # <u>2</u> Envelope) (jas),(ps) (Entered: 03/09/2011)
03/28/2011	<u>10</u>	Notice of Change of Address by Petitioner Larry Cochran, Plaintiff Larry Cochran (Attachments: # <u>1</u> Envelope) (jas),(ps) (Entered: 03/29/2011)
04/20/2011	<u>11</u>	Letter Requesting Status Update by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 04/20/2011)
04/20/2011	<u>12</u>	Response from court to <u>11</u> Letter Requesting Status Update by Plaintiff Larry Cochran. (jef),(ps) (Entered: 04/20/2011)
06/06/2011	<u>13</u>	Letter requesting status update from plaintiff. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 06/06/2011)
06/08/2011	<u>14</u>	Letter from court in response to <u>13</u> Letter requesting status update from plaintiff. (elc),(ps) (Entered: 06/08/2011)
07/26/2011	<u>15</u>	ORDER on ifp request: Initial partial filing fee of \$ 0.32 assessed. ( Initial partial filing fee due 8/15/2011.) Plaintiff's motions for <u>5</u> appointment of counsel and for <u>6</u> service of the complaint are denied as premature. Signed by Magistrate Judge Stephen L. Crocker on 7/26/2011. (jef),(ps) (Entered: 07/26/2011)
08/11/2011		Initial Partial Filing fee received: \$ 0.32, receipt number 11791. (jef),(ps) (Entered: 08/11/2011)
08/15/2011	<u>16</u>	Motion for Extension of Time to pay initial partial payment by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Cover Letter and Envelope) (elc),(ps) (Entered: 08/15/2011)
02/21/2012	<u>17</u>	Letter Requesting Status Update by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 02/21/2012)

02/21/2012	<u>18</u>	Letter from court in response to <u>17</u> Letter requesting status update from plaintiff. (jef),(ps) (Entered: 02/21/2012)
04/23/2012	<u>19</u>	Letter Requesting Status Update by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 04/24/2012)
04/24/2012	<u>20</u>	Letter response from court to <u>19</u> Letter Requesting Status Update by Plaintiff Larry Cochran. (jef),(ps) (Entered: 04/24/2012)
05/29/2012	<u>21</u>	Clarification of plaintiff's claim filed by Larry Cochran. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) (Entered: 05/29/2012)
05/29/2012	<u>22</u>	Letter Requesting Status Update by Plaintiff Larry Cochran. (jef),(ps) (Entered: 05/29/2012)
05/29/2012	<u>23</u>	Letter response from court to <u>22</u> Letter Requesting Status Update by Plaintiff Larry Cochran. (jef),(ps) (Entered: 05/29/2012)
08/03/2012	<u>24</u>	Letter Requesting Status Update, Docket Sheet and Notice of Intent to File Petition for Writ of Mandamus by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 08/03/2012)
10/01/2012	<u>25</u>	Letter Requesting Status Update by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 10/01/2012)
10/17/2012	<u>26</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson, Derrick Roger. Service to be made by USMS. Signed by Magistrate Judge Stephen L. Crocker on 10/16/2012. (jef),(ps) (Entered: 10/17/2012)
10/22/2012	<u>27</u>	Summons Issued as to James Geit, Steve Dutton, Steve Robinson, Derrick Roger, Carol Holinka. Forwarded to USMS for service. (Attachments: # <u>1</u> Summons as to Steve Dutton, # <u>2</u> Summons as to Steve Robinson, # <u>3</u> Summons as to Derrick Roger, # <u>4</u> Summons as to Carol Holinka) (jef),(ps) (Entered: 10/22/2012)
10/25/2012	<u>28</u>	Marshal Service Return Executed. United States Attorney for the Western District of Wisconsin served on Oct. 24, 2012. (elc),(ps) (Entered: 10/25/2012)
10/29/2012	<u>29</u>	Motion to Appoint Counsel by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Exhibit A – List of attorneys contacted and rejection letter, # <u>2</u> Certificate of Service, # <u>3</u> Cover Letter, # <u>4</u> Envelope) (jef),(ps) (Entered: 10/29/2012)
11/02/2012	<u>30</u>	Marshal Service Return Executed as to James Geit, Steve Dutton and Steven Robinson. (Attachments: # <u>1</u> USMS form as to Steven Dutton, # <u>2</u> USMS form as to Steven Robinson) (jef),(ps) (Entered: 11/09/2012)
11/02/2012	<u>31</u>	Marshal Service Return Unexecuted as to Derrick Roger. (jef),(ps) (Entered: 11/09/2012)
11/26/2012	<u>32</u>	Letter Requesting Docket Sheet and copies of summons issued to defendants by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 11/26/2012)
11/26/2012	<u>33</u>	Letter from court in response to <u>32</u> Letter Requesting Docket Sheet and copies of summons issued to defendants. (elc),(ps) (Entered: 11/26/2012)
11/28/2012	<u>34</u>	Certified Mail Receipt of <u>1</u> Complaint, <u>27</u> Summons Issued, sent to Attorney General Eric Holder. (jef),(ps) (Entered: 11/28/2012)
12/07/2012	<u>35</u>	Marshal Service Return Executed. Carol Holinka served on 11/14/2012 ( <u>Sealed Document</u> ) (jef),(ps) (Entered: 12/07/2012)
12/07/2012	<u>36</u>	Marshal Service Return Executed – Redacted re: <u>35</u> Marshal Service Return Executed as to Carol Holinka. (jef),(ps) (Entered: 12/07/2012)

12/07/2012	<u>37</u>	Motion for second clarification of plaintiff's claim re <u>26</u> Order on ifp request – Order on Leave to Proceed, by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (jef),(ps) (Entered: 12/07/2012)
12/13/2012	<u>38</u>	Motion to Revoke Plaintiff's Leave to Proceed in Forma Pauperis Status by Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson. (Attachments: # <u>1</u> Certificate of Service) (Oswald, Barbara),(ps) Modified text on 12/13/2012 (jef). (Entered: 12/13/2012)
12/13/2012	<u>39</u>	Brief in Support of <u>38</u> Motion for Miscellaneous Relief by Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson. (Oswald, Barbara),(ps) Modified text on 12/13/2012 (jef). (Entered: 12/13/2012)
12/13/2012	<u>40</u>	Declaration of Craig Klawitter filed by Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson. re: <u>38</u> Motion for Miscellaneous Relief (Attachments: # <u>1</u> Exhibit A – Inmate History Quarters) (Oswald, Barbara),(ps) Modified text on 12/13/2012 (jef). (Entered: 12/13/2012)
12/13/2012		Set Deadlines as to <u>38</u> Motion to Revoke Plaintiff's Leave to Proceed in Forma Pauperis . Plaintiff's Brief in Opposition due 1/4/2013. Defendants' Brief in Reply due 1/14/2013. (jef),(ps) Modified on 12/13/2012 (jef). (Entered: 12/13/2012)
12/13/2012	<u>41</u>	ORDER that the parties treat defendant Derrick Roger as a Doe defendant until plaintiff can ascertain his true identity through discovery in accordance with a schedule to be set at the preliminary pretrial conference. Plaintiff's second <u>29</u> motion for appointment of counsel is DENIED without prejudice. Signed by Magistrate Judge Stephen L. Crocker on 12/12/2012. (jef),(ps) (Entered: 12/13/2012)
12/26/2012	<u>42</u>	<b>MOTION TO DISMISS</b> by Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson. (Attachments: # <u>1</u> Certificate of Service) (Oswald, Barbara),(ps) (Entered: 12/26/2012)
12/26/2012	<u>43</u>	Brief in Support of <u>42</u> Motion to Dismiss by Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson (Oswald, Barbara),(ps) (Entered: 12/26/2012)
12/26/2012	<u>44</u>	Declaration of Vickie L. Bortz filed by Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson re: <u>42</u> Motion to Dismiss (Attachments: # <u>1</u> Exhibit A – Administrative Remedy Generalized Retrieval, # <u>2</u> Exhibit B – Request for Administrative Remedy dated 8/17/10, # <u>3</u> Exhibit C – Response to Request for Administrative Remedy dated 9/17/10, # <u>4</u> Exhibit D – Regional Administrative Remedy Appeal dated 9/17/10, # <u>5</u> Exhibit E – Response to Regional Administrative Remedy Appeal dated 11/09/10, # <u>6</u> Exhibit F – Central Office Administrative Remedy Appeal dated 11/16/10, # <u>7</u> Exhibit G – Request for Extension of time from Administrative Remedy Coordinator Central Office, # <u>8</u> Exhibit H – Response to Administrative Remedy No. 603741–A2 dated 3/29/11, # <u>9</u> Exhibit I – Request for Administrative Remedy from Cochran dated 8/17/10, # <u>10</u> Exhibit J – Response to Request for Administrative Remedy dated 9/15/10, # <u>11</u> Exhibit K – Regional Administrative Remedy Appeal dated 9/16/10, # <u>12</u> Exhibit L – Response to Regional Administrative Remedy Appeal dated 10/06/10, # <u>13</u> Exhibit M – Central Office Administrative Remedy Appeal dated 11/03/10, # <u>14</u> Exhibit N – Response to Administrative Remedy No. 603743–A2 dated 4/26/11, # <u>15</u> Exhibit O – Request for Administrative Remedy dated 8/27/10, # <u>16</u> Exhibit P – Response to Request for Administrative Remedy dated 9/17/10, # <u>17</u> Exhibit Q – Regional Administrative Remedy Appeal dated 9/17/10, # <u>18</u> Exhibit R – Response to Regional Administrative Remedy Appeal dated 10/06/10, # <u>19</u> Exhibit S – Central Office Administrative Remedy Appeal dated 11/03/10,

		# <u>20</u> Exhibit T – Response to Administrative Remedy No. 605760–A2 dated 3/29/11) (Oswald, Barbara),(ps) (Entered: 12/26/2012)
12/26/2012	<u>45</u>	Letter Requesting Copies by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (lak),(ps) (Entered: 12/26/2012)
12/26/2012		Set Deadlines as to <u>42</u> MOTION TO DISMISS Plaintiff's Brief in Opposition due 1/17/2013. Defendants' Brief in Reply due 1/28/2013. (jef),(ps) (Entered: 12/26/2012)
01/03/2013	<u>46</u>	Plaintiff's response to Defendants' re: <u>38</u> Motion to Revoke Plaintiff's Leave to Proceed in Forma Pauperis Status. (jef),(ps) (Additional attachment(s) added on 1/3/2013: # <u>1</u> Envelope) (jef). (Entered: 01/03/2013)
01/03/2013	<u>47</u>	Brief in Opposition by Plaintiff Larry Cochran re: <u>38</u> Motion to Revoke Plaintiff's Leave to Proceed in Forma Pauperis Status, filed by James Geit, Steve Robinson, Carol Holinka, Derrick Roger, Steve Dutton (Attachments: # <u>1</u> Exhibit A – Plaintiff's motion to proceed in forma pauperis and exhibits A thru Q, # <u>2</u> Exhibit B – Plaintiff's application to proceed without prepayment of fees and affidavit, # <u>3</u> Exhibit C – Clarification of plaintiff's claim, # <u>4</u> Exhibit D – Motion to clarify claim second clarification of plaintiff's claim, # <u>5</u> Certificate of Service) (jef),(ps) (Entered: 01/03/2013)
01/03/2013	<u>48</u>	Motion requesting re–evaluation and reconsideration of plaintiff's in forma pauperis status and the claims stated in plaintiff's original complaint by Plaintiff Larry Cochran. (jef),(ps) (Entered: 01/03/2013)
01/03/2013	<u>49</u>	Letter response from the court to <u>45</u> Letter Requesting Copies by Plaintiff Larry Cochran. (jef),(ps) (Entered: 01/03/2013)
01/11/2013	<u>50</u>	Brief in Reply by Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson in Support of <u>38</u> Motion for Miscellaneous Relief, (Attachments: # <u>1</u> Certificate of Service) (Oswald, Barbara),(ps) (Entered: 01/11/2013)
01/18/2013	<u>51</u>	Motion for Extension of Time to respond to defendants' motion to dismiss by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 01/18/2013)
01/23/2013	<u>52</u>	** TEXT ONLY ORDER ** Plaintiff's <u>51</u> request for a 60–day extension of his January 17, 2013 deadline to respond to defendants' motion to dismiss is granted in part and denied in part. Plaintiff's deadline is extended 30 days, to February 19, 2013. Plaintiff's claims in this lawsuit are not particularly complex, defendants' motion to dismiss is similarly straightforward, and plaintiff obviously has enough previous federal litigation experience to have accumulated three strikes. A 30–day extension is more than sufficient time for plaintiff to respond. Defendants' brief in reply due March 1, 2013. Signed by Magistrate Judge Stephen L. Crocker on 1/23/2013. (jef),(ps) (Entered: 01/23/2013)
01/25/2013	<u>53</u>	Motion for Leave to Amend Complaint and Request to Proceed In Forma Pauperis by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 01/25/2013)
02/11/2013	<u>54</u>	Warden PLRA Letter. (jef),(ps) (Entered: 02/11/2013)
02/12/2013	<u>55</u>	Motion to Amend <u>1</u> Complaint by Adding New Defendant Mr. Greg Fearday by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Exhibit A – BP–8(s) and other notices to defendant Fearday, # <u>2</u> Certificate of Service, # <u>3</u> Certificate of Service) (jef),(ps) (Entered: 02/12/2013)
02/12/2013	<u>56</u>	AMENDED COMPLAINT against All Defendants, filed by Larry Cochran. (Attachments: # <u>1</u> Exhibit A – Request to medical staff and other evidence,

		# <u>2</u> Exhibit B – Administrative Remedy Receipt) (jef),(ps) Note, there is no page 3 of the amended complaint, but it doesn't seem to be missing, just misnumbered, 2/12/2013 (jef). (Entered: 02/12/2013)
02/12/2013	<u>57</u>	Motion for Leave to Proceed in forma pauperis under the imminent danger exception by Plaintiff Larry Cochran. (jef),(ps) Modified text on 2/12/2013 (jef). (Entered: 02/12/2013)
02/12/2013	<u>58</u>	Affidavit of Larry Cochran re: <u>57</u> Motion for Leave to Proceed in forma pauperis. (jef),(ps) (Entered: 02/12/2013)
02/12/2013	<u>59</u>	Prisoner Trust Fund Account Statement by Plaintiff Larry Cochran. (jef),(ps) (Entered: 02/12/2013)
02/25/2013	<u>60</u>	Brief in Opposition by Plaintiff Larry Cochran re: <u>42</u> Motion to Dismiss filed by James Geit, Steve Robinson, Carol Holinka, Steve Dutton. (Attachments: # <u>1</u> Exhibit A – Administrative Remedies, # <u>2</u> Exhibit B – Administrative Remedies Receipts, # <u>3</u> Certificate of Service, # <u>4</u> Cover Letter, # <u>5</u> Envelope) (jef),(ps) (Entered: 02/25/2013)
02/25/2013		Reset Deadlines as to <u>42</u> MOTION TO DISMISS. Defendants' Brief in Reply due 3/7/2013. (jef),(ps) (Entered: 02/25/2013)
03/05/2013	<u>61</u>	Brief in Reply by Defendants Steve Dutton, James Geit, Carol Holinka, Steve Robinson in Support of <u>42</u> Motion to Dismiss (Attachments: # <u>1</u> Certificate of Service) (Oswald, Barbara),(ps) (Entered: 03/05/2013)
07/25/2013	<u>62</u>	Letter Requesting Status Update and Docket Sheet by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 07/25/2013)
08/05/2013	<u>63</u>	Letter from clerk's office in response to <u>62</u> Letter Requesting Status Update and Docket Sheet by Plaintiff Larry Cochran. (elc),(ps) (Entered: 08/05/2013)
09/11/2013	<u>64</u>	Notice of Change of Address and Request for a Status Report or Docket Sheet by Plaintiff Larry Cochran (Attachments: # <u>1</u> Envelope) (jaf),(ps) (Entered: 09/11/2013)
09/17/2013	<u>65</u>	ORDER denying plaintiff's <u>21</u> , <u>37</u> , <u>48</u> Motions for Clarification; denying defendants' <u>42</u> Motion to Dismiss without prejudice; denying <u>53</u> , <u>55</u> , <u>57</u> Motions for Leave Amend Complaint and for Leave to Proceed in forma pauperis with the Amended Complaint; granting defendants' <u>38</u> Motion to Revoke Plaintiff's Leave to Proceed in Forma Pauperis. Plaintiff may have until September 30, 2013 to pay the remainder of the \$350 filing fee he owes for this case. If plaintiff fails to meet this deadline, the case will be dismissed without prejudice. Signed by District Judge William M. Conley on 9/17/2013. (jef),(ps) (Entered: 09/17/2013)
09/30/2013	<u>66</u>	Motion for Extension of Time to Pay Filing Fee by Plaintiff Larry Cochran. Motions referred to Stephen L. Crocker. (Attachments: # <u>1</u> Envelope) (jaf),(ps) (Entered: 09/30/2013)
10/15/2013	<u>67</u>	Motion to Alter or Amend Judgment by Plaintiff Larry Cochran. (Attachments: # <u>1</u> Exhibit A – BP–11 Receipts, # <u>2</u> Certificate of Service, # <u>3</u> Envelope) (jaf),(ps) (Entered: 10/15/2013)
11/19/2013	<u>68</u>	ORDER denying <u>67</u> Motion to Alter or Amend Judgment; granting <u>66</u> Motion for Extension of Time. Plaintiff shall pay the \$350 filing fee that he owes in this case no later than December 6, 2013. If plaintiff fails to meet this deadline, the case will be dismissed without prejudice. No further extensions will be granted. Signed by District Judge William M. Conley on 11/19/2013. (jef),(ps) (Entered: 11/19/2013)
12/11/2013	<u>69</u>	ORDER that the complaint filed by plaintiff Larry Cochran is DISMISSED without prejudice pursuant to Fed. R. Civ. P. 41(b). The clerk's office shall terminate all pending motions and close this case. Signed by District Judge William M. Conley on 12/11/2013. (jef),(ps) (Entered: 12/11/2013)

12/11/2013		Civil case terminated per <u>69</u> order. (jef),(ps) (Entered: 12/11/2013)
02/07/2014	<u>70</u>	NOTICE OF APPEAL by Plaintiff Larry Cochran as to <u>69</u> Order. In forma pauperis pending. No Docketing Statement filed. (jef),(ps) (Entered: 02/18/2014)
02/18/2014	<u>71</u>	Appeal Information Packet. (jef),(ps) (Entered: 02/18/2014)