

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:12-cv-00476-bbc**

Rivera, Natanael v. Jimenez, George, et al
Assigned to: District Judge Barbara B. Crabb
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/05/2012
Date Terminated: 12/09/2013
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Natanael Rivera

represented by **Natanael Rivera**
435734
Columbia Correctional Institution
2925 Columbia Drive
P.O. Box 900
Portage, WI 53901-0900
PRO SE

V.




















Defendant

George J. Jimenez

represented by **Anthony David Russomanno**
Wisconsin Department of Justice
17 W Main ST, PO Box 7857
Madison, WI 53707
608-267-2238
Fax: 608-267-8906
Email: russomannoad@doj.state.wi.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Monica A. Burkert - Brist
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707
608-266-1795
Fax: 608-267-8906
Email: burkert-bristm@doj.state.wi.us
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/05/2012	1	ORDER that this case is SEVERED from case 12-cv-240-bbc in accordance with Fed. R. Civ. P. 20. Plaintiff's "Amended Verified Complaint," will proceed as a case no. 12-cv-476-bbc. Plaintiff is directed to make an initial partial payment of \$6.01 for case no. 12-cv- 476-bbc. Signed by District Judge Barbara B. Crabb on 7/5/2012. (jef) (Entered: 07/06/2012)
07/05/2012	2	COMPLAINT against All Defendants, filed by Natanael Rivera. (Case non-randomly assigned to District Judge Barbara B. Crabb.) (jef) (Entered: 07/06/2012)
07/05/2012	3	Motion for Leave to Proceed in forma pauperis by Plaintiff Natanael Rivera. (jef),(ps) (Entered: 07/06/2012)
07/23/2012	4	Letter from plaintiff regarding filing fee. (Attachments: # 1 Memo from business office, # 2 Envelope) (jef),(ps) (Entered: 07/23/2012)
07/30/2012	5	ORDER that plaintiff's \$6.01 initial partial payment of the \$350 fee for filing this case may be taken from his release account funds. Initial partial filing fee due 8/17/2012. Signed by Magistrate Judge Stephen L. Crocker on

		7/27/2012. (jef),(ps) (Entered: 07/30/2012)
08/20/2012		Initial Partial Filing fee received: \$ 6.01, receipt number 15054. (jef),(ps) (Entered: 08/21/2012)
09/25/2012	 6	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendant George J. Jimenez. Leave to proceed denied and case dismissed against Tomes Compball, Sara Cooper, John Doe 1-12, Peter Ericksen, Numeke, Rouse, Tingly, Micheal Baenen and Comeing. Materials delivered to DOJ for acceptance of service. Signed by District Judge Barbara B. Crabb on 9/25/2012. (jef),(ps) (Entered: 09/25/2012)
09/25/2012	 7	Warden PLRA Letter. (jef),(ps) (Entered: 09/25/2012)
09/28/2012	 8	Notice of Appearance filed by Monica A. Burkert - Brist for Defendant George J. Jimenez (Attachments: # 1 Certificate of Service) (Burkert - Brist, Monica),(ps) (Entered: 09/28/2012)
09/28/2012	 9	Acceptance of Service by DOJ on behalf of Defendant George J. Jimenez. (Burkert - Brist, Monica),(ps) (Entered: 09/28/2012)
09/28/2012	 10	Memorandum that for the remainder of this lawsuit 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 9/28/12. (elc),(ps) (Entered: 09/28/2012)
11/01/2012	 11	ANSWER by Defendant George J. Jimenez. (Attachments: # 1 Certificate of Service) (Burkert - Brist, Monica),(ps) (Entered: 11/01/2012)
11/01/2012		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 11/28/2012 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Defendant responsible for setting up the call to chambers at (608) 264-5153. [Notice Regarding the Telephone Preliminary Pretrial Conference attached] (elc),(ps) (Entered: 11/01/2012)
11/16/2012	 12	Motion for More Definite Statement by Plaintiff Natanael Rivera. (Attachments: # 1 Certificate of Service, # 2 Envelope) (elc),(ps) (Entered: 11/16/2012)
11/28/2012		Reset Telephone Pretrial Conference: Telephone Pretrial Conference reset for 12/12/2012 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Defendant is responsible for setting up the call to chambers at (608) 264-5153. (elc),(ps) (Entered: 11/28/2012)
11/30/2012	 13	ORDER denying plaintiff's 12 Motion for More Definite Statement. Signed by District Judge Barbara B. Crabb on 11/30/2012. (jef),(ps) (Entered: 11/30/2012)
12/17/2012	 14	Pretrial Conference Order - Dispositive Motions for Failure to Exhaust Administrative Remedies due 2/8/2013. Dispositive Motions due 8/2/2013. Rule 26(a)(3) Disclosures and all motions in limine due 1/17/2014. Objections due 1/31/2014. Final Pretrial Conference set for 2/18/2014 at 08:30 AM. Jury Selection and Trial set for 2/18/2014 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 12/17/2012. (jef),(ps) (Entered: 12/17/2012)
12/18/2012		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference - Pro Se held on 12/12/2012 [:15] (cak),(ps) (Entered: 12/18/2012)
08/02/2013	 15	Certificate of Service by Defendant George J. Jimenez (Russomanno, Anthony),(ps) (Entered: 08/02/2013)
08/02/2013	 16	MOTION FOR SUMMARY JUDGMENT by Defendant George J. Jimenez. (Russomanno, Anthony),(ps) (Entered: 08/02/2013)
08/02/2013	 17	Brief in Support of 16 Motion for Summary Judgment by Defendant George J. Jimenez (Russomanno, Anthony),(ps) (Entered: 08/02/2013)
08/02/2013	 18	Proposed Findings of Fact filed by Defendant George J. Jimenez re: 16 Motion for Summary Judgment (Russomanno, Anthony),(ps) Modified on 8/5/2013; wrong case number on document. (mmo). (Entered: 08/02/2013)
08/02/2013	 19	Affidavit of Karen Anderson filed by Defendant George J. Jimenez re: 16 Motion for Summary Judgment (Attachments: # 1 Exhibit 103 - Medical Records) (Russomanno, Anthony),(ps) Modified on 8/5/2013; wrong case number on document. (mmo). (Entered: 08/02/2013)
08/02/2013	 20	Affidavit of Thomas J. Campbell filed by Defendant George J. Jimenez re: 16 Motion for Summary Judgment (Attachments: # 1 Exhibit 100 - I.R. 00008126) (Russomanno, Anthony),(ps) Modified on 8/5/2013; wrong case number on document. (mmo). (Entered: 08/02/2013)

08/02/2013	21	Affidavit of George E. Jimenez filed by Defendant George J. Jimenez re: 16 Motion for Summary Judgment (Attachments: # 1 Exhibit 104 - I.R. 00008115) (Russomanno, Anthony),(ps) Modified on 8/5/2013;wrong case number on document. (mmo). (Entered: 08/02/2013)
08/02/2013	22	Affidavit of Chad D Rouse filed by Defendant George J. Jimenez re: 16 Motion for Summary Judgment (Attachments: # 1 Exhibit 101 - DVD Cell Extraction 7-14-11 - Hand delivered to Court, # 2 Exhibit 102 - I.R. 00008130) (Russomanno, Anthony),(ps) Modified on 8/5/2013; wrong case number on document. (mmo). (Entered: 08/02/2013)
08/02/2013		Set Deadlines as to 16 MOTION FOR SUMMARY JUDGMENT . [Pro Se Summary Judgment Procedure for Cases Assigned to Judge Crabb attached.] Plaintiff's Brief in Opposition due 9/3/2013. Defendant's Brief in Reply due 9/13/2013. (elc),(ps) (Entered: 08/02/2013)
08/05/2013	23	DVD of 7/14/2011 Cell Extraction filed conventionally. DVD Located on Shelf 36 in Clerk's Office Exhibit Room. (elc),(ps) Modified shelf location on 12/5/2013 (elc). (Entered: 08/05/2013)
08/06/2013		Clerk's Office remark: Updated plaintiff's address to Columbia Correctional Institution per his August 6, 2013 filing in case 12-cv-240-bbc. Also, mailed August 2, 2013 briefing schedule and summary judgment procedures in case 12-cv-476-bbc. (jef),(ps) Modified text on 8/6/2013 (jef). (Entered: 08/06/2013)
08/07/2013	24	Request for copies of orders and docket entries by Plaintiff Natanael Rivera. (Attachments: # 1 Certificate of Service, # 2 Envelope) (jef),(ps) (Entered: 08/07/2013)
08/07/2013		Clerk's Office remark: mailed copy of pretrial conference order to plaintiff at Columbia Correctional Institution. (jef),(ps) (Entered: 08/07/2013)
08/07/2013	25	Motion for an order directing defendants to allow plaintiff to view DVD Exhibit 101 by Plaintiff Natanael Rivera. (jef),(ps) (Entered: 08/07/2013)
08/07/2013		Set Briefing as to plaintiff's 25 Motion for order directing defendants to allow plaintiff to view Exhibit 101 DVD. Defendants' Response due 8/14/2013. There will be no reply. (jef),(ps) (Entered: 08/07/2013)
08/12/2013	26	Notice by Defendants that plaintiff's 57 Second Request for Production of Documents filed case 12-cv-00240-bbc should be directed to defendants in case 12-cv-476-bbc. (Attachments: # 1 Copy of Dkt. 57 in 12-cv-240-bbc, # 2 Copy of NEF sent for dkt. 57 in 12-cv-240-bbc, # 3 Envelope) (elc),(ps) (Entered: 08/12/2013)
08/13/2013	27	Brief in Opposition by Defendant George J. Jimenez re: 25 Motion for Miscellaneous Relief filed by Natanael Rivera (Attachments: # 1 Certificate of Service) (Russomanno, Anthony),(ps) (Entered: 08/13/2013)
08/13/2013	28	Affidavit of Melissa Schueler filed by Defendant George J. Jimenez re: 25 Motion for Miscellaneous Relief (Russomanno, Anthony),(ps) (Entered: 08/13/2013)
08/13/2013	29	Motion for a telephone conference or to order defendants to give plaintiff a pen to respond to the defendants' motion, by Plaintiff Natanael Rivera. (Attachments: # 1 Envelope) (jef),(ps) Note, document is very, very faint, and is scanned on the most readable setting. (jef) (Entered: 08/13/2013)
08/16/2013	30	Letter from clerk's office returning 29 Illegible Submission to plaintiff. (elc),(ps) (Entered: 08/16/2013)
08/22/2013	31	ORDER denying 25 Motion for order directing defendants to allow plaintiff to view Exhibit 101 as unnecessary. Signed by District Judge Barbara B. Crabb on 8/22/2013. (jef),(ps) (Entered: 08/22/2013)
08/30/2013	32	Motion to to extend the deadline to respond to summary judgment and stop harassment from defendants and their co-workers by Plaintiff Natanael Rivera. (Attachments: # 1 Interview/Information Requests, # 2 ICE Report 2013-14589, # 3 8/20/2013 Memorandum to plaintiff re: 2013 Legal Loan, # 4 Envelopes) (elc),(ps) (Entered: 08/30/2013)
08/30/2013		Set Deadlines as to 32 Motion to stop harassment from defendants and their co-workers, to permit viewing of video-disc, allow plaintiff to participate in legal loan program, to go to the law library and to extend the deadline to respond to summary judgment. Defendants' Response due 9/6/2013. There shall be no reply. (elc),(ps) (Entered: 08/30/2013)

09/06/2013	33	Certificate of Service by Defendant George J. Jimenez (Burkert - Brist, Monica),(ps) (Entered: 09/06/2013)
09/06/2013	34	Brief in Opposition by Defendant George J. Jimenez re: 32 Motion for Miscellaneous Relief, filed by Natanael Rivera (Burkert - Brist, Monica),(ps) (Entered: 09/06/2013)
09/06/2013	35	Affidavit of Melissa Schueler filed by Defendant George J. Jimenez re: 32 Motion for Miscellaneous Relief, (Attachments: # 1 Exhibit A - Memorandum to plaintiff re Legal loans - dated 8-20-13, # 2 Exhibit B - Memorandum re: Library Closures - dated 8-26-13) (Burkert - Brist, Monica),(ps) (Entered: 09/06/2013)
09/10/2013	36	** TEXT ONLY ORDER ** Order GRANTING plaintiff's 32 Motion to extend the deadline to respond to summary judgment. Plaintiff's opposition materials are due by September 24, 2013. Defendant's reply is due October 4, 2013. No further extensions will be granted. Signed by Magistrate Judge Stephen L. Crocker on 9/10/2013. (elc),(ps) (Entered: 09/10/2013)
09/10/2013	36	Reset Deadlines as to 16 MOTION FOR SUMMARY JUDGMENT . Plaintiff's Brief in Opposition due 9/24/2013. Defendant's Brief in Reply due 10/4/2013. (elc),(ps) (Entered: 09/10/2013)
09/11/2013	37	Motion for Miscellaneous Relief / titled as Objection, by Plaintiff Natanael Rivera. (Attachments: # 1 Exhibits Y & Z - Interview Information Requests, # 2 Envelope) (jaf),(ps) Modified event to a motion on 9/16/2013 (jef/jmm). (Entered: 09/11/2013)
09/16/2013	37	Set Briefing Deadlines as to plaintiff's 37 Motion for Miscellaneous Relief / titled as Objection. Defendants' Response due 9/20/2013. There will be no reply. (jef/jmm),(ps) (Entered: 09/16/2013)
09/20/2013	38	Brief in Opposition by Defendant George J. Jimenez re: 37 Motion for Miscellaneous Relief filed by Natanael Rivera (Attachments: # 1 Certificate of Service) (Russomanno, Anthony),(ps) (Entered: 09/20/2013)
09/20/2013	39	Third Affidavit of Melissa Schueler filed by Defendant George J. Jimenez re: 37 Motion for Miscellaneous Relief (Attachments: # 1 Exhibit DOC Letter to Rivera) (Russomanno, Anthony),(ps) (Entered: 09/20/2013)
09/20/2013	40	Affidavit of Anthony D. Russomanno filed by Defendant George J. Jimenez re: 37 Motion for Miscellaneous Relief (Attachments: # 1 Exhibit First Discovery Demand, # 2 Exhibit First Discovery Response, # 3 Exhibit First Document Response, # 4 Exhibit Second Discovery Demand, # 5 Exhibit Second Discovery Response) (Russomanno, Anthony),(ps) (Entered: 09/20/2013)
09/20/2013	41	Motion for Sanctions by Plaintiff Natanael Rivera. (Attachments: # 1 Envelope) (elc),(ps) (Entered: 09/23/2013)
09/20/2013	42	Brief in Support of 41 Motion for Sanctions by Plaintiff Natanael Rivera (elc),(ps) (Entered: 09/23/2013)
09/23/2013	43	Affidavit of Natanael Rivera re: 41 Motion for Sanctions (elc),(ps) (Entered: 09/23/2013)
09/23/2013	43	Set Deadlines as to 41 Motion for Sanctions. Defendants' Brief in Opposition due 9/27/2013. There will be no reply. (elc),(ps) (Entered: 09/23/2013)
09/23/2013	44	ORDER that plaintiff Natanael Rivera is GRANTED a one-week extension of time to file his response to defendant George Jimenez's motion for summary judgment. Plaintiff may have until October 1, 2013 to file his response materials; defendants may have until October 11, 2013 to file their reply. No further extensions will be granted. Plaintiff's requests for court assistance, dkt. # 37 , are DENIED in all other respects. Signed by District Judge Barbara B. Crabb on 9/23/2013. (jef),(ps) (Entered: 09/23/2013)
09/23/2013	45	ORDER denying plaintiff's 41 Motion for Sanctions. Signed by District Judge Barbara B. Crabb on 9/23/2013. (jef),(ps) (Entered: 09/23/2013)
10/11/2013	46	Brief in Reply by Defendant George J. Jimenez in Support of 16 Motion for Summary Judgment (Attachments: # 1 Certificate of Service) (Russomanno, Anthony),(ps) (Entered: 10/11/2013)
10/11/2013	47	Second Motion to Sanction Defendants and Their Coworkers by Plaintiff Natanael Rivera. (Attachments: # 1 Cover Letter, # 2 Envelope) (jaf),(ps) (Entered: 10/11/2013)
10/11/2013	48	Brief in Support of 47 Motion for Sanctions by Plaintiff Natanael Rivera (Attachments: # 1 Certificate of Service) (jaf),(ps) (Entered: 10/11/2013)

10/11/2013	49	Affidavit of Natanael Rivera filed by Plaintiff Natanael Rivera re: 47 Motion for Sanctions (Attachments: # 1 Exhibit 501 - 9-21-13 Memo to Mr. Vilwock) (jaf),(ps) (Entered: 10/11/2013)
10/11/2013	50	Motion of Genuine Issues of Material Fact Precludes Summary Judgment for the Defendants on These Claims by Plaintiff Natanael Rivera. (jaf),(ps) (Entered: 10/11/2013)
10/11/2013	51	Brief in Opposition by Plaintiff Natanael Rivera re: 16 Motion for Summary Judgment filed by George J. Jimenez (jaf),(ps) (Entered: 10/11/2013)
10/11/2013	52	Proposed Findings of Fact filed by Plaintiff Natanael Rivera re: 16 Motion for Summary Judgment (jaf),(ps) (Entered: 10/11/2013)
10/11/2013	53	Affidavit of Natanael Rivera filed by Plaintiff Natanael Rivera re: 16 Motion for Summary Judgment (jaf),(ps) (Entered: 10/11/2013)
10/11/2013	54	Motion for Assistance in Recruiting Counsel by Plaintiff Natanael Rivera. (jaf),(ps) (Entered: 10/11/2013)
10/11/2013	5	Set/Reset Deadlines as to 16 MOTION FOR SUMMARY JUDGMENT 47 Motion for Sanctions. Defendants summary judgment reply and opposition to plaintiff's motion for sanctions is due 10/21/2013. (elc),(ps) (Entered: 10/11/2013)
10/16/2013	55	Motion for Order by Plaintiff Natanael Rivera. (Attachments: # 1 Certificate of Service, # 2 Envelope) (Scanned on darkest setting) (jaf),(ps) Document maintained in pro se folder for faint pleadings, 10/22/2013 (jef). (Entered: 10/16/2013)
10/16/2013	56	Affidavit of Natanael Rivera (unsigned) filed by Plaintiff Natanael Rivera re: 55 Motion for Miscellaneous Relief (Scanned on darkest setting) (jaf),(ps) (Entered: 10/16/2013)
10/17/2013	57	Letter from the Clerk's Office returning 56 affidavit to plaintiff for signature. (jef),(ps) (Entered: 10/17/2013)
10/18/2013	58	Brief in Reply by Defendant George J. Jimenez in Support of 16 Motion for Summary Judgment (Attachments: # 1 Certificate of Service) (Russomanno, Anthony),(ps) (Entered: 10/18/2013)
10/18/2013	59	Reply in Support of Proposed Findings of Fact filed by Defendant George J. Jimenez re: 16 Motion for Summary Judgment (Russomanno, Anthony),(ps) (Entered: 10/18/2013)
10/18/2013	60	Response to Proposed Findings of Fact filed by Defendant George J. Jimenez re: 16 Motion for Summary Judgment (Russomanno, Anthony),(ps) (Entered: 10/18/2013)
10/18/2013	61	Brief in Opposition by Defendant George J. Jimenez re: 55 Motion for Miscellaneous Relief filed by Natanael Rivera, 47 Motion for Sanctions filed by Natanael Rivera (Russomanno, Anthony),(ps) (Entered: 10/18/2013)
10/18/2013	62	Affidavit of Misty Kurth filed by Defendant George J. Jimenez re: 47 Motion for Sanctions, 55 Motion for Miscellaneous Relief (Russomanno, Anthony),(ps) (Entered: 10/18/2013)
10/21/2013	63	Signed copy of 56 Affidavit filed by Natanael Rivera. (Attachments: # 1 Envelope) (jef),(ps) (Entered: 10/22/2013)
11/08/2013	64	Brief in Reply (Scanned on darkest setting) by Plaintiff Natanael Rivera in Support of 47 Motion for Sanctions (Attachments: # 1 Envelope) (jaf),(ps) Original document is maintained in the clerk's office, 11/8/2013 (jef). (Main Document 64 rescanned and replaced on 11/12/2013) (jef). (Entered: 11/08/2013)
11/08/2013	65	Motion to Take Judicial Notice (Scanned on darkest setting) by Plaintiff Natanael Rivera. (jaf),(ps) Modified on 11/8/2013 (jaf). Original document is maintained in the clerk's office, 11/8/2013 (jef). (Main Document 65 rescanned and replaced on 11/12/2013) (jef). (Entered: 11/08/2013)
12/09/2013	66	ORDER denying 47 Motion for Sanctions; denying 50 Motion for of Genuine Issues of Material Fact Precludes Summary Judgment for the Defendants on These Claims; denying 51 Motion to Amend; denying 54 Motion for Assistance in Recruiting Counsel; denying 55 Motion for Order; denying 65 motion to amend; and granting 16 Motion for Summary Judgment. The clerk of court is directed to enter judgment in favor of defendant and close this case. Signed by District Judge Barbara B. Crabb on 12/9/2013. (jef),(ps) (Entered: 12/09/2013)
12/09/2013	67	JUDGMENT entered in favor of defendants dismissing this case. (PAO/jef). (jef),(ps) (Entered: 12/09/2013)
12/30/2013	68	NOTICE OF APPEAL by Plaintiff Natanael Rivera as to 66 Order, 67 Judgment. In forma pauperis pending. No Docketing Statement filed. (Attachments: # 1 Cover Letter, # 2 Envelope) (jef),(ps) (Entered: 12/30/2013)
12/30/2013	69	Appeal Information Packet. (jef),(ps) (Entered: 12/30/2013)

