

**U.S. District Court  
Western District of Wisconsin (Madison)  
CIVIL DOCKET FOR CASE #: 3:13-cv-00597-wmc**

Thomas, Darreyll v. Reese, Michael et al  
Assigned to: District Judge William M. Conley  
Referred to: Magistrate Judge Stephen L. Crocker  
Case in other court: Seventh Circuit Court of Appeals,  
14-03406

Date Filed: 08/26/2013  
Date Terminated: 04/03/2017  
Jury Demand: Plaintiff  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

**Plaintiff**

**Darreyll T. Thomas**

represented by **Darreyll T. Thomas**  
442896  
Redgranite Correctional Institution  
1006 County Rd. EE  
P.O. Box 925  
Redgranite, WI 54970-0925  
(608) 742-9100  
PRO SE

**Patrick F. Koenen**  
Hinshaw & Culbertson LLP  
100 West Lawrence St.  
Appleton, WI 54911  
920-738-7550  
Fax: 920-738-9294  
Email: [pkoenen@hinshawlaw.com](mailto:pkoenen@hinshawlaw.com)  
*TERMINATED: 11/15/2016*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Deputy Michael Reese**

represented by **Ann Emmerich**  
Bell, Moore & Richter, S.C.  
44 East Mifflin Street, Suite 1000  
P.O. Box 1807  
Madison, WI 53701  
608-257-3764  
Fax: 608-257-3757  
Email: [aemmerich@bmlawyers.com](mailto:aemmerich@bmlawyers.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Timothy J. Yanacheck**  
Bell, Moore & Richter, SC  
44 East Mifflin Street  
PO Box 1807  
Madison, WI 53701-1807  
608-257-3764  
Fax: 608-257-3757  
Email: [tyanacheck@bmlawyers.com](mailto:tyanacheck@bmlawyers.com)  
*TERMINATED: 06/16/2015*  
*LEAD ATTORNEY*

**Sheila M. Sullivan**  
Bell, Moore & Richter, S.C.  
44 East Mifflin Street, Suite 1000  
P.O. Box 1807

Madison, WI 53701  
608-259-2315  
Fax: 608-257-3757  
Email: [ssullivan@bmrllawyers.com](mailto:ssullivan@bmrllawyers.com)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Deputy Robin Hampton**

represented by **Ann Emmerich**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Timothy J. Yanacheck**  
(See above for address)  
*TERMINATED: 06/16/2015*  
*LEAD ATTORNEY*

**Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Deputy Rob Van Norman**

represented by **Ann Emmerich**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Timothy J. Yanacheck**  
(See above for address)  
*TERMINATED: 06/16/2015*  
*LEAD ATTORNEY*

**Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Deputy Christopher Larsh**

represented by **Ann Emmerich**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Timothy J. Yanacheck**  
(See above for address)  
*TERMINATED: 06/16/2015*  
*LEAD ATTORNEY*

**Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dane County Jail**  
*(D.C.J.)*  
*TERMINATED: 04/24/2014*

represented by **Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Prison Health Services Inc.**  
*TERMINATED: 04/24/2014*

represented by **Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dane County – Madison, WI**  
*TERMINATED: 04/24/2014*

represented by **Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Madison Police Department**  
*TERMINATED: 04/24/2014*

represented by **Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Department of Corrections**  
*TERMINATED: 04/24/2014*

represented by **Corey Francis Finkelmeyer**  
Wisconsin Department of Justice  
P.O. Box 7857  
Madison, WI 53707  
(608) 266-7342  
Fax: (608) 267-8906  
Email: [federalorderscl@doj.state.wi.us](mailto:federalorderscl@doj.state.wi.us)  
*TERMINATED: 05/29/2014*  
*LEAD ATTORNEY*

**Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**C.C.I. Dept. / Health Serv. Unit**  
*TERMINATED: 04/24/2014*

represented by **Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dane County Jail Administrator**

represented by **Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**John Does 1-5**

represented by **Ann Emmerich**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Sheila M. Sullivan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jonathan Triggs**

represented by **Ann Emmerich**  
Bell, Moore & Richter, S.C.  
345 West Washington Avenue, Suite 302  
Madison, WI 53703-3007  
608-257-3764  
Fax: 608-257-3757  
Email: [aemmerich@bmrllawyers.com](mailto:aemmerich@bmrllawyers.com)  
*ATTORNEY TO BE NOTICED*

**Sheila M. Sullivan**  
Bell, Moore & Richter, S.C.  
345 West Washington Avenue, Suite 302  
Madison, WI 53703-3007  
608-259-2315  
Fax: 608-257-3757  
Email: [ssullivan@bmrllawyers.com](mailto:ssullivan@bmrllawyers.com)

**Defendant****Cindy Schuller**represented by **Ann Emmerich**  
(See above for address)  
ATTORNEY TO BE NOTICED**Sheila M. Sullivan**  
(See above for address)  
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/26/2013	<u>1</u>	COMPLAINT against All Defendants, filed by Darreyll T. Thomas. (Case randomly assigned to District Judge William M. Conley.) (Attachments: # <u>1</u> Summons, # <u>2</u> Envelope) (jef) (Entered: 08/26/2013)
08/26/2013	<u>2</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Attorney rejection letters (5)) (jef),(ps) (Entered: 08/26/2013)
08/26/2013	<u>3</u>	Motion for Leave to Proceed in forma pauperis and for Use of Release Account Funds by Plaintiff Darreyll T. Thomas. (jef),(ps) Modified text on 8/29/2013 (jef). Modified on 8/29/2013 (jef). (Entered: 08/26/2013)
08/26/2013	<u>4</u>	Prisoner Trust Fund Account Statement by Plaintiff Darreyll T. Thomas. (jef),(ps) (Entered: 08/26/2013)
09/04/2013	<u>5</u>	ORDER denying <u>2</u> Motion for Assistance in Recruiting Counsel; granting <u>3</u> Motion for Leave to Proceed without prepayment of fees, granting in part <u>3</u> motion to use release account funds. Initial partial filing fee of \$ 72.20 assessed. (Fee due 9/25/2013.) Signed by Magistrate Judge Peter A. Oppeneer on 9/4/2013. (jef),(ps) (Entered: 09/04/2013)
09/18/2013	<u>6</u>	Brief in Support re <u>1</u> Complaint by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Envelope) (jaf),(ps) (Entered: 09/18/2013)
09/18/2013		Partial Filing fee received : \$ 72.20, receipt number 34690018265 (elc),(ps) (Entered: 09/18/2013)
09/18/2013		Motion for In Forma Pauperis Screening. (elc),(ps) (Entered: 09/18/2013)
09/18/2013	<u>7</u>	Warden PLRA Letter. (elc),(ps) (Entered: 09/18/2013)
10/30/2013	<u>8</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Correspondence from Dane County Sheriff's Office, # <u>2</u> Envelope) (jaf),(ps) (Entered: 10/30/2013)
10/31/2013	<u>9</u>	ORDER denying <u>8</u> Motion for Assistance in Recruiting Counsel. Signed by District Judge William M. Conley on 10/31/2013. (jef),(ps) (Entered: 10/31/2013)
12/11/2013	<u>10</u>	Letter from Darreyll Thomas regarding next steps (Attachments: # <u>1</u> Envelope) (jaf),(ps) (Entered: 12/11/2013)
01/03/2014	<u>11</u>	Motion for Protective Order to preserve video tape evidence by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jaf),(ps) Modified docket text on 1/3/2014 (elc). (Entered: 01/03/2014)
01/03/2014	<u>12</u>	Brief in Support of <u>11</u> Motion for Protective Order by Plaintiff Darreyll T. Thomas (Attachments: # <u>1</u> Exhibit Table of Contents, # <u>2</u> Exhibit A – Letters to Records Dept, # <u>3</u> Exhibit B – Dane Co. Sheriff's Office Response, # <u>4</u> Exhibit D – Letter to Sheriff Mahoney,

		# <u>5</u> Exhibit E – Letter to Chief Noble Wray, # <u>6</u> Exhibit F – Letter to Commissioner Herrick, # <u>7</u> Exhibit G – Letter to AG Van Hollen, # <u>8</u> Exhibit H – Letter to Administrator O'Keefe) (jaf),(ps) (Entered: 01/03/2014)
01/03/2014	<u>13</u>	Prisoner Trust Fund Account Statement by Plaintiff Darreyll T. Thomas (jaf),(ps) (Entered: 01/03/2014)
01/03/2014	<u>14</u>	Motion for Declaratory Judgment by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jaf),(ps) (Entered: 01/03/2014)
01/03/2014	<u>15</u>	Brief in Support of <u>14</u> Motion for Declaratory Judgment by Plaintiff Darreyll T. Thomas (jaf),(ps) (Entered: 01/03/2014)
02/12/2014	<u>16</u>	Letter from Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jaf),(ps) (Entered: 02/12/2014)
02/13/2014	<u>17</u>	** TEXT ONLY ORDER ** Plaintiff Darreyll T. Thomas has filed a motion for a protective order seeking discovery of videotape evidence in possession of the Dane County Sheriff's Office. (Dkt. # <u>11</u> ). He has also filed a motion for a declaratory judgment. (Dkt. # <u>14</u> ). The court will consider the request for declaratory relief as a supplement to the complaint, which is currently under consideration for screening pursuant to 28 U.S.C. § 1915A. All discovery is STAYED until after the court has completed the screening process and there has been a preliminary pretrial conference, if necessary, in this case. Signed by District Judge William M. Conley on 2/13/2014. (elc),(ps) (Entered: 02/13/2014)
02/21/2014	<u>18</u>	Letter from clerk's office in response to <u>16</u> Letter from Plaintiff Darreyll T. Thomas. (elc),(ps) (Entered: 02/21/2014)
04/24/2014	<u>19</u>	AMENDED COMPLAINT against Robin Hampton, Christopher Larsh, Michael Reese, Rob Van Norman, Dane County Jail Administrator, John Does 1–5, filed by Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter and Envelope) (elc),(ps) (Entered: 04/24/2014)
05/06/2014	<u>20</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendants John Does 1–5, Robin Hampton, Christopher Larsh, Michael Reese, Rob Van Norman. Leave to proceed denied and case dismissed against Dane County Jail Administrator. Service to be made by USMS. Thomas's request for leave to proceed with any of his remaining claims is DENIED. Signed by District Judge William M. Conley on 5/6/2014. (jef),(ps) (Entered: 05/06/2014)
05/07/2014	<u>21</u>	Summons Issued as to Robin Hampton, Christopher Larsh, Michael Reese, Rob Van Norman. Forwarded to USMS for service. (Attachments: # <u>1</u> Summons as to Hampton, # <u>2</u> Summons as to Van Norman, # <u>3</u> Summons as to Larsh) (jef),(ps) (Entered: 05/07/2014)
05/16/2014	<u>22</u>	Motion for Reconsideration re <u>20</u> Order, by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (jef),(ps) (Entered: 05/16/2014)
05/19/2014	<u>23</u>	ORDER denying plaintiff Darreyll T. Thomas's <u>22</u> motion for reconsideration regarding his request to proceed with a deliberate–indifference claim and granting Thomas's <u>22</u> request for clarification of the screening order. Thomas may proceed with claims of excessive–force and/or failure to intervene against defendants Michael Reese, Robin Hampton, Robert Van Norman, Christopher Larsh and John Does 1 through 5. Thomas may also proceed with claims of retaliation and state law battery against defendant Reese. Thomas's request for leave to proceed with a state law negligence claim is denied. Signed by District Judge William M. Conley on 5/19/2014. (jef),(ps) (Entered: 05/19/2014)
05/23/2014	<u>24</u>	ANSWER to Amended Complaint by Defendants Robin Hampton, Christopher Larsh, Michael Reese, Rob Van Norman. (Attachments: # <u>1</u> Certificate of Service) (Yanacheck, Timothy),(ps) (Entered: 05/23/2014)

05/23/2014		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 6/12/2014 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. [ <a href="#">Notice Regarding the Telephone Preliminary Pretrial Conference</a> attached] (elc),(ps) (Entered: 05/23/2014)
05/29/2014	<u>25</u>	Motion for Appointment of Counsel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Attorney Rejection Letters, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (elc),(ps) (Entered: 05/29/2014)
05/29/2014	<u>26</u>	Declaration of Darreyll T. Thomasre: <u>25</u> Motion for Appointment of Counsel. (elc),(ps) (Entered: 05/29/2014)
05/29/2014	<u>27</u>	Motion to Alter or Amend <u>23</u> Order entered May 19, 2014 by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter) (elc),(ps) (Entered: 05/29/2014)
06/02/2014	<u>28</u>	Marshal Service Return Executed. Robin Hampton served on 5/19/2014; Christopher Larsh served on 5/19/2014; Michael Reese served on 5/19/2014; and Rob Van Norman served on 5/19/2014. (Attachments: # <u>1</u> Process Receipt and Return as to Van Norman, # <u>2</u> Process Receipt and Return as to Reese, # <u>3</u> Process Receipt and Return as to Hampton) (nlm),(ps) (Entered: 06/02/2014)
06/02/2014	<u>29</u>	ORDER denying plaintiff's <u>25</u> Motion for Counsel without prejudice as to later reconsideration. Signed by District Judge William M. Conley on 6/2/2014. (jef),(ps) (Entered: 06/02/2014)
06/02/2014	30	** TEXT ONLY ORDER ** Plaintiff Darreyll T. Thomas has filed a motion to alter or amend a decision denying his motion for reconsideration of the screening order in this case. He now appears to claim that certain defendants denied him adequate medical care with deliberate indifference by assigning him to a top bunk at the Jail. The court has allowed Thomas to proceed with his claim that certain defendants violated his rights under the Eighth Amendment by using force against him or failing to intervene, among other things, after Thomas refused to accept an assignment to the top bunk. Thomas's contention appears to be that he was justified in refusing to accept the top bunk for medical reasons and that the defendants were wrong to use force against him as a result. But Thomas may make this argument in the context of his excessive-force claim without raising a separate claim for deliberate indifference or negligence where his bunk assignment is concerned. Accordingly, for the same reasons already stated in this case, Thomas does not allege facts showing that he has a separate claim for deliberate indifference or negligence with respect to his bunk assignment. Therefore, his motion to alter or amend (dkt. # <u>27</u> ) is DENIED. Signed by District Judge William M. Conley on 6/2/2014. (jef),(ps) (Entered: 06/02/2014)
06/12/2014		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 6/12/2014 [:35] (cak),(ps) (Entered: 06/12/2014)
06/16/2014	<u>31</u>	Pretrial Conference Order – Amended Complaint Naming Doe Defendants due 8/15/2014. Answer to Amended Complaint due 9/5/2014. Dispositive Motions for Failure to Exhaust Administrative Remedies due 7/25/2014. Dispositive Motions due 3/13/2015. Rule 26(a)(3) Disclosures and all motions in limine due 9/4/2015. Objections due 9/18/2015. Final Pretrial Conference set for 9/28/2015 at 08:30 AM. Jury Selection and Trial set for 9/28/2015 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 6/13/2014. (jef),(ps) (Entered: 06/16/2014)
06/23/2014	<u>32</u>	Declaration of Darreyll T. Thomas in Support of Dane County Jail Administrator Liability. (Attachments: # <u>1</u> Cover Letter and Envelope) (elc),(ps) (Entered: 06/23/2014)
07/24/2014	<u>33</u>	Notice of Appearance filed by Sheila M. Sullivan for Defendants John Does 1-5, Robin Hampton, Christopher Larsh, Michael Reese, Rob Van Norman. (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Sheila),(ps) (Entered: 07/24/2014)

07/24/2014	<u>34</u>	<b>MOTION TO DISMISS</b> <i>for Failure to Exhaust Pursuant to 42 U.S.C.</i> by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman. (Sullivan, Sheila),(ps) (Entered: 07/24/2014)
07/24/2014	<u>35</u>	Brief in Support of <u>34</u> Motion to Dismiss <i>for Failure to Exhaust</i> by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman. (Sullivan, Sheila),(ps) (Entered: 07/24/2014)
07/24/2014	<u>36</u>	Affidavit of Michael Statz filed by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman re: <u>34</u> Motion to Dismiss, (Attachments: # <u>1</u> Exhibit A – Acknowledgement of Receipt – Handbook, # <u>2</u> Exhibit B – Inmate Handbook, # <u>3</u> Exhibit C – Notice of Disciplinary Hearing & Rights) (Sullivan, Sheila),(ps) (Entered: 07/24/2014)
07/24/2014	<u>37</u>	Certificate of Service by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman. (Sullivan, Sheila),(ps) (Entered: 07/24/2014)
07/24/2014		Set Deadlines as to <u>34</u> MOTION TO DISMISS <i>for Failure to Exhaust Administrative Remedies. Plaintiff's Brief in Opposition due 8/15/2014. Defendants' Brief in Reply due 8/22/2014.</i> (elc),(ps) (Entered: 07/24/2014)
07/25/2014	<u>38</u>	Motion for Recruitment of Counsel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter and Envelope) (elc),(ps) (Entered: 07/25/2014)
07/25/2014	<u>39</u>	Declaration of Darreyll Thomas re: <u>38</u> Motion for Recruitment of Counsel. (Attachments: # <u>1</u> Attorney Rejection Letters) (elc),(ps) (Entered: 07/25/2014)
07/29/2014	<u>40</u>	Brief in Opposition by Plaintiff Darreyll T. Thomas re: <u>34</u> Motion to Dismiss, filed by Dane County – Madison, WI, Rob Van Norman, Robin Hampton, C.C.I. Dept. / Health Serv. Unit, Department of Corrections, Madison Police Department, Dane County Jail, John Does 1–5, Dane County Jail Administrator, Prison Health Services Inc., Christopher Larsh, Michael Reese (Attachments: # <u>1</u> Exhibit 3 – Dane County Sheriff's Office Jail Log, # <u>2</u> Exhibit 4 – June 23, 2014 Letter to Attorney Yanacheck, # <u>3</u> Cover Letter and Envelope) (elc),(ps) (Entered: 07/29/2014)
07/29/2014	<u>41</u>	Motion to Freeze, Seize and/or Lien Defendants' Assets by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter) (elc),(ps) (Entered: 07/29/2014)
07/29/2014	<u>42</u>	Motion to Compel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter) (elc),(ps) (Entered: 07/29/2014)
07/29/2014	<u>43</u>	Brief in Support of <u>42</u> Motion to Compel by Plaintiff Darreyll T. Thomas (elc),(ps) (Entered: 07/29/2014)
07/29/2014	<u>44</u>	Declaration of Darreyll T. Thomas re: <u>42</u> Motion to Compel. (Attachments: # <u>1</u> Exhibit 1 – Plaintiff's First Set of Interrogatories and Requests for Production, # <u>2</u> Exhibit 2 – Letters from Plaintiff to Attorney Yanacheck) (elc),(ps) (Entered: 07/29/2014)
07/29/2014	<u>45</u>	Handwritten Declaration of Darreyll Thomas in support of <u>42</u> Motion to Compel. (elc),(ps) (Entered: 07/29/2014)

07/29/2014	<u>46</u>	Declaration of Darreyll T. Thomas in Support of Dane County Jail Administrator Liability and Request that the Court Reinstate the Dane County Jail Administrator as a Defendant. (elc),(ps) (Entered: 07/29/2014)
08/06/2014	<u>47</u>	ORDER granting defendants' <u>34</u> Motion to Dismiss. The complaint is DISMISSED without prejudice for plaintiff Darreyll T. Thomas's failure to exhaust available administrative remedies as required by 42 U.S.C. § 1997e(a). The clerk's office is directed to close this case and to terminate all pending motions. Plaintiff may move to reopen this case within thirty days of the date of this order if he presents evidence showing that he exhausted administrative remedies at the Dane County Jail. If plaintiff fails to so move, the clerk's office is directed to enter judgment dismissing this case. Signed by District Judge William M. Conley on 8/6/2014. (jef),(ps) (Entered: 08/06/2014)
08/06/2014		Pursuant to the dkt. <u>47</u> order, this case is closed and all pending motions are terminated. (jef),(ps) (Entered: 08/06/2014)
08/26/2014	<u>48</u>	Motion to Reopen Case and Motion for Reconsideration with Brief in Support by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (nlm),(ps) (Entered: 08/26/2014)
08/26/2014	<u>49</u>	Declaration in Support of <u>48</u> Motion to Reopen Case and Motion for Reconsideration by Plaintiff Darreyll Thomas. (nlm),(ps) (Entered: 08/26/2014)
08/27/2014		Set Briefing Deadlines as to <u>48</u> Motion to Reopen Case and Motion for Reconsideration. Defendants' Brief in Opposition due 9/8/2014. (nlm),(ps) (Entered: 08/27/2014)
09/08/2014	<u>50</u>	Brief in Opposition by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman re: <u>48</u> Motion to Reopen Case filed by Darreyll T. Thomas (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Sheila),(ps) (Entered: 09/08/2014)
10/02/2014	<u>51</u>	ORDER denying plaintiff Darreyl T. Thomas's <u>48</u> Motion to Reopen Case. The clerk's office will enter judgment in favor of defendants and close this case. Signed by District Judge William M. Conley on 10/2/2014. (jef),(ps) (Entered: 10/02/2014)
10/02/2014	<u>52</u>	JUDGMENT entered in favor of defendants dismissing this case. (PAO/jef). (jef),(ps) (Entered: 10/02/2014)
10/07/2014	<u>53</u>	Affidavit of Darreyll Thomas. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (jef),(ps) (Entered: 10/07/2014)
10/14/2014	<u>54</u>	Motion for Reconsideration by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (jef),(ps) (Entered: 10/14/2014)
10/15/2014	<u>55</u>	ORDER denying plaintiff's <u>54</u> Motion for Reconsideration. Signed by District Judge William M. Conley on 10/15/2014. (jef),(ps) (Entered: 10/15/2014)
10/17/2014	<u>56</u>	Motion for Recusal by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (jef),(ps) (Entered: 10/17/2014)
10/28/2014	<u>57</u>	** TEXT ONLY ORDER ** On August 6, 2014, the court granted defendants' motion to dismiss the prisoner civil rights case filed by plaintiff Darreyll T. Thomas. Thereafter, the court denied Thomas's motion to reopen and his motion for reconsideration. Citing the court's adverse rulings, Thomas has now filed a motion asking the court to recuse itself from this case. The motion must be denied for two reasons. First, adverse judicial rulings are not evidence of bias or prejudice and do not require recusal. <i>Liteky v. United States</i> , 510 U.S. 540, 555 (1994); <i>Brokaw v. Mercer County</i> , 235 F.3d 1000, 1025 (7th Cir. 2000). Plaintiff does not otherwise show that disqualification is required pursuant to 28 U.S.C. §§ 144, 455. Second, this case is now closed, meaning that there is nothing left to decide. As



		such, plaintiff's motion is moot. Therefore, plaintiff's motion to recuse (dkt. # <u>56</u> ) is DENIED. Signed by District Judge William M. Conley on 10/28/2014. (elc),(ps) (Entered: 10/28/2014)
10/29/2014	<u>58</u>	NOTICE OF APPEAL by Plaintiff Darreyll T. Thomas as to <u>52</u> Judgment, <u>51</u> Order on Motion to Reopen Case. In forma pauperis requested. Docketing Statement filed. (Attachments: # <u>1</u> Docketing Statement, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (jef),(ps) (Entered: 10/30/2014)
10/29/2014	<u>59</u>	Motion for Use of Release Account Funds by Plaintiff Darreyll T. Thomas. (jef),(ps) (Entered: 10/30/2014)
10/29/2014	<u>60</u>	Affidavit of Darreyll Thomas re <u>58</u> Notice of Appeal. (jef),(ps) (Main Document 60 replaced on 10/31/2014) (jef). (Entered: 10/30/2014)
10/29/2014	<u>61</u>	Prisoner Trust Fund Account Statement by Plaintiff Darreyll T. Thomas. (jef),(ps) (Additional attachment(s) added on 10/30/2014: # <u>1</u> IPP Calculation) (jef). (Entered: 10/30/2014)
10/30/2014	<u>62</u>	Appeal Information Packet. (jef),(ps) (Entered: 10/30/2014)
10/30/2014	<u>63</u>	Transmission of Notice of Appeal, Docketing Statement, Appeal Information Sheet, Docket Sheet and Judgment to Seventh Circuit Court of Appeals re <u>58</u> Notice of Appeal. (Attachments: # <u>1</u> Information sheet, # <u>2</u> Docketing Statement, # <u>3</u> Dkt. <u>47</u> Order, Aug. 6, 2014, # <u>4</u> Dkt. <u>51</u> Order, Oct. 2, 2014, # <u>5</u> Dkt. <u>52</u> Judgment, Oct. 2 2014, # <u>6</u> Dkt. <u>55</u> Order, Oct. 15, 2014, # <u>7</u> Docket sheet) (jef),(ps) (Entered: 10/30/2014)
10/30/2014		USCA Case Number 14-3406 for <u>58</u> Notice of Appeal, filed by Darreyll T. Thomas. (jef),(ps) (Entered: 10/30/2014)
10/31/2014	<u>64</u>	ORDER granting plaintiff's <u>59</u> motion for leave to proceed in forma pauperis on appeal, granting in part plaintiff's <u>59</u> motion for use of release account funds. Initial Partial Appeal Filing Fee of \$96.18 due November 21, 2014. Signed by District Judge William M. Conley on 10/31/2014. (jef),(ps) (Entered: 10/31/2014)
11/05/2014		Appeal Initial Partial Filing fee received : \$96.18, receipt number 34690021518. (nlm),(ps) (Entered: 11/05/2014)
11/05/2014	<u>65</u>	Warden Appeal PLRA Letter. (nlm),(ps) (Entered: 11/05/2014)
11/06/2014	<u>66</u>	Letter requesting Practitioner's Handbook for Appeals to the United States Court of Appeals for the Seventh Circuit, Federal Rules of Appellate Procedure and forms by plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 11/06/2014)
11/10/2014	<u>67</u>	Letter from Clerk's Office in response to <u>66</u> letter requesting Practitioner's Handbook for Appeals to the United States Court of Appeals for the Seventh Circuit, Federal Rules of Appellate Procedure and forms by plaintiff Darreyll T. Thomas. (nlm),(ps) (Entered: 11/10/2014)
11/10/2014	<u>68</u>	Declaration of Darreyll Thomas. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 11/10/2014)
11/10/2014	<u>69</u>	Transcript Request Form by Plaintiff Darreyll T. Thomas re <u>58</u> Notice of Appeal. (Attachments: # <u>1</u> Cover Letter) (jef),(ps) (Entered: 11/10/2014)
11/10/2014	<u>70</u>	Exhibit #5 - Dane Co. Sheriff Office correspondence dated August 6, 2012 denying record request, filed by Darreyll T. Thomas. (Attachments: # <u>1</u> Cover Letter) (jef),(ps) (Entered: 11/10/2014)

11/12/2014	<u>71</u>	Court Reporter Certification of Seventh Circuit Transcript Information Sheet re: <u>58</u> Notice of Appeal by Plaintiff Darreyll T. Thomas. (arw),(ps) (Entered: 11/12/2014)
02/23/2015	<u>72</u>	Certified and Transmitted Record on Appeal to US Court of Appeals re <u>58</u> Notice of Appeal. (Attachments: # <u>1</u> Certification) (nlh),(ps) (Entered: 02/23/2015)
06/15/2015	<u>73</u>	Renewed Motion for Assistance in Recruiting Counsel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 06/15/2015)
06/15/2015	<u>74</u>	Declaration of Darreyll T. Thomas re: <u>73</u> Renewed Motion for Assistance in Recruiting Counsel (Attachments: # <u>1</u> Appendix of Attachments, # <u>2</u> Care Notes and Psychiatric Reports (redacted), # <u>3</u> Attorney Rejection Letter) (elc),(ps) (Entered: 06/15/2015)
06/16/2015	<u>75</u>	Notice by Defendants John Does 1–5, Robin Hampton, Christopher Larsh, Michael Reese, Rob Van Norman of <i>Substitution of Counsel</i> . (Attachments: # <u>1</u> Certificate of Service) (Emmerich, Ann),(ps) (Entered: 06/16/2015)
06/19/2015	<u>76</u>	Declaration of Darreyll T. Thomas in Support of Cost Return by Defendants filed by Plaintiff Darreyll T. Thomas (Attachments: # <u>1</u> copy of Seventh Circuit Court of Appeals Final Judgment dated 6/01/15, # <u>2</u> Disbursement Requests, Trust Fund Account Statement from 10/22/14 to 6/01/15 (redacted); Certified Trust Fund Account Statement from 12/12/14 to 6/12/15 (redacted), # <u>3</u> Certificate of Service, # <u>4</u> Envelope) (nlh),(ps) Note: NEF also transmitted to Seventh Circuit Court of Appeals. (Entered: 06/19/2015)
06/23/2015	<u>77</u>	JUDGMENT from USCA reversing, with costs, and remanding as to <u>58</u> Notice of Appeal, filed by Darreyll T. Thomas. No record to be returned. (Attachments: # <u>1</u> Appellate Opinion, # <u>2</u> Mandate) (jef),(ps) (Entered: 06/23/2015)
06/23/2015		Set Telephone Pretrial or Status Conference: Telephone Pretrial Conference set for 7/23/2015 at 02:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Defendants responsible for setting up the call to chambers at (608) 264–5153. [ <u>Notice Regarding the Telephone Preliminary Pretrial Conference</u> attached] (jef),(ps) (Entered: 06/23/2015)
07/09/2015	<u>78</u>	Second Request for Interrogatories and Admissions by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 07/09/2015)
07/09/2015	<u>79</u>	Letter from plaintiff to Attorney Emmerich regarding discovery request sent on June 6, 2015. (Attachments: # <u>1</u> First Set of Interrogatories and Request for Production with Cover Letter, # <u>2</u> First Request for Admissions with Cover Letter) (elc),(ps) (Entered: 07/09/2015)
07/13/2015	<u>80</u>	ORDER from USCA that costs are awarded to plaintiff/appellant in the amount of \$527.60 as to <u>58</u> Notice of Appeal, filed by Darreyll T. Thomas. (Attachments: # <u>1</u> Certified Bill of Costs) (elc),(ps) (Entered: 07/13/2015)
07/29/2015	<u>81</u>	Pretrial Conference Order – Amended Complaint Naming Doe Defendants due 9/22/2015. Answer to Amended Complaint due 10/13/2015. Dispositive Motions due 2/29/2016. Rule 26(a)(3) Disclosures and all motions in limine due 8/26/2016. Objections due 9/9/2016. Final Pretrial Conference set for 9/19/2016 at 08:30 AM. Jury Selection and Trial set for 9/19/2016 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 7/29/2015. (jef),(ps) Modified docket text on 7/29/2015 (nlh). (Entered: 07/29/2015)
07/30/2015		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 7/23/2015 [:15] (cak),(ps) (Entered: 07/30/2015)

08/06/2015	<u>82</u>	Letter from Plaintiff Darreyll T. Thomas requesting status update on <u>73</u> Renewed Motion for Assistance in Recruiting Counsel. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (nlm),(ps) (Entered: 08/06/2015)
08/06/2015	<u>83</u>	Letter from Clerk's Office in response to <u>82</u> letter from plaintiff Darreyll T. Thomas requesting status update on renewed motion for assistance in recruiting counsel. (nlm),(ps) (Entered: 08/06/2015)
08/26/2015	<u>84</u>	Answer to Interrogatories from Plaintiff by Defendants John Does 1-5, Robin Hampton, Christopher Larsh, Michael Reese, Rob Van Norman. (Attachments: # <u>1</u> Response to Request for Production No. 1, # <u>2</u> Response to Interrogatory No. 2 and Request for Production No. 4, # <u>3</u> Response to Interrogatory No. 3 and Request for Production No. 4, # <u>4</u> Response to Interrogatory No. 4 and Request for Production No. 6, # <u>5</u> Response to Request for Production No. 4, # <u>6</u> Response to Interrogatory No. 5 and Request for Production No. 8, # <u>7</u> Response to Request for Production No. 7, # <u>8</u> Response to Request for Production No. 9, # <u>9</u> Response to Request for Production No. 12) (Emmerich, Ann),(ps) Modified on 8/27/2015: Clarified exhibit descriptions. (lak) (Entered: 08/26/2015)
08/26/2015	<u>85</u>	Response to Discovery Request from Defendants by Defendants John Does 1-5, Robin Hampton, Christopher Larsh, Michael Reese, Rob Van Norman. (Emmerich, Ann),(ps) (Entered: 08/26/2015)
08/26/2015	<u>86</u>	Supplement (Cover Letter) to <u>84</u> Answer to Interrogatories, filed by Rob Van Norman, Robin Hampton, John Does 1-5, Christopher Larsh, Michael Reese, <u>85</u> Response to Discovery filed by Rob Van Norman, Robin Hampton, John Does 1-5, Christopher Larsh, Michael Reese, (Attachments: # <u>1</u> Certificate of Service) (Emmerich, Ann),(ps) Modified on 8/27/2015. (lak) (Entered: 08/26/2015)
08/26/2015	<u>87</u>	Motion to Compel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) (Entered: 08/27/2015)
08/26/2015	<u>88</u>	Declaration of Darreyll Thomas re <u>87</u> Motion to Compel and Motion for Shiffra Hearing by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> 1st set of interrogatories and requests for production, # <u>2</u> 1st request for admissions, # <u>3</u> 2nd request for interrogatories and admissions) (jef),(ps) (Entered: 08/27/2015)
08/26/2015	<u>89</u>	Brief in Support of <u>87</u> Motion to Compel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Short appendix - Answer to amended complaint and exhibits 1-14 (discovery correspondence)) (jef),(ps) (Entered: 08/27/2015)
08/26/2015	<u>90</u>	Offer of Proof re <u>87</u> Motion to Compel by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Short appendix - Exhibits 15,16 -Deputy reports for incidents, inmate medical history) (jef),(ps) (Entered: 08/27/2015)
08/26/2015	<u>91</u>	Motion in Limine by Plaintiff Darreyll T. Thomas. (jef),(ps) (Entered: 08/27/2015)
08/27/2015		Set Briefing as to Plaintiff's <u>87</u> Motion to Compel, <u>88</u> Motion for Hearing and <u>91</u> Motion in Limine. Defendants' Brief in Opposition due 9/4/2015. Plaintiff's Brief in Reply due 9/14/2015. (jef),(ps) (Entered: 08/27/2015)
08/27/2015	<u>92</u>	ORDER denying plaintiff's <u>73</u> Motion for Assistance in Recruiting Counsel without prejudice. Signed by District Judge William M. Conley on 8/27/2015. (jef),(ps) (Entered: 08/27/2015)
08/28/2015	<u>93</u>	Letter from Plaintiff to postpone ruling on motion for recruitment of counsel. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 08/28/2015)

08/28/2015	<u>94</u>	Motion for Protective Order by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman. (Sullivan, Sheila),(ps) (Entered: 08/28/2015)
08/28/2015	<u>95</u>	Brief in Support of <u>94</u> Motion for Protective Order, by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman. (Sullivan, Sheila),(ps) (Entered: 08/28/2015)
08/28/2015	<u>96</u>	Affidavit of Krist Boldt filed by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman re: <u>94</u> Motion for Protective Order. (Sullivan, Sheila),(ps) (Entered: 08/28/2015)
08/28/2015	<u>97</u>	Certificate of Service by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman as to <u>94</u> Motion for Protective Order, <u>95</u> Brief in Support, <u>96</u> Affidavit. (Sullivan, Sheila),(ps) (Entered: 08/28/2015)
08/31/2015		Set Deadlines as to <u>94</u> Motion for Protective Order . Plaintiff's Brief in Opposition due 9/10/2015. Defendants' Brief in Reply due 9/17/2015. (elc),(ps) (Entered: 08/31/2015)
09/03/2015	<u>98</u>	Brief in Opposition by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman re: <u>91</u> Motion in Limine filed by Darreyll T. Thomas, <u>87</u> Motion to Compel filed by Darreyll T. Thomas, <u>88</u> Motion for Hearing, filed by Darreyll T. Thomas (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Sheila),(ps) (Entered: 09/03/2015)
09/10/2015	<u>99</u>	Brief in Reply by Plaintiff Darreyll T. Thomas in Support of <u>91</u> Motion in Limine, <u>87</u> Motion to Compel, <u>88</u> Motion for Hearing and in opposition to <u>94</u> Motion for Protective Order by Defendants. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 09/10/2015)
09/11/2015	<u>100</u>	Letter regarding pretrial conference hearing, John Doe Defendants, Schiffra Hearing and changes to the amended complaint due to new evidence, for the record by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 09/11/2015)
09/11/2015	<u>101</u>	Brief in Reply by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Rob Van Norman in Support of <u>94</u> Motion for Protective Order, (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Sheila),(ps) (Entered: 09/11/2015)
09/23/2015	<u>102</u>	AMENDED COMPLAINT naming Jonathan Triggs, Cindy Schuller and Dane County Jail Administrator as Does Defendants filed by Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 09/23/2015)
09/23/2015	<u>103</u>	Brief in Opposition by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman re: <u>102</u> Proposed Amended Complaint filed by Darreyll T. Thomas (Attachments: # <u>1</u> Certificate of Service) (Emmerich, Ann),(ps) Modified on 9/24/2015. (lak)

		Modified on 9/24/2015 (elc). (Entered: 09/23/2015)
10/05/2015	<u>104</u>	Supplement to <u>103</u> Brief in Opposition / Waiver of Service and Objection to Amendment, filed by Dane County – Madison, WI, Rob Van Norman, Robin Hampton, Cindy Schuller, C.C.I. Dept. / Health Serv. Unit, Department of Corrections, Madison Police Department, Jonathan Triggs, Dane County Jail, John Does 1–5, Dane County Jail Administrator, Prison Health Services Inc., Christopher Larsh, Michael Reese (Attachments: # <u>1</u> Certificate of Service) (Emmerich, Ann),(ps) Modified docket text on 10/5/2015 (nln). (Entered: 10/05/2015)
10/30/2015	<u>105</u>	Letter regarding status of defendants' <u>94</u> Motion for Protective Order by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) (Entered: 10/30/2015)
10/30/2015	<u>106</u>	Motion for Reconsideration re: Ruling on <u>94</u> Motion for Protective Order by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service) (jef),(ps) (Entered: 10/30/2015)
10/30/2015	<u>107</u>	Declaration of Darreyll T. Thomas re: <u>106</u> Motion for Reconsideration. (jef),(ps) (Entered: 10/30/2015)
11/25/2015	<u>108</u>	Letter from Plaintiff requesting status update and advising of change of address to Kettle Moraine Correctional Institution. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 11/25/2015)
12/01/2015	<u>109</u>	Letter from the clerk's office in response to <u>108</u> Letter from Plaintiff requesting status update and advising of change of address to Kettle Moraine Correctional Institution. (elc),(ps) (Entered: 12/01/2015)
12/02/2015	<u>110</u>	ORDER that plaintiff Darreyll T. Thomas's motion to amend his complaint to include a claim against the Dane County Jail Administrator (dkt. # <u>102</u> ) is DENIED. The existing defendants are directed to file an answer to plaintiff's amended complaint within ten days of this order. 2. Plaintiff's motion in limine (dkt. # <u>91</u> ) is DENIED without prejudice. 3. Plaintiff's motion for a hearing (dkt. # <u>100</u> ) is DENIED. 4. Plaintiff's motion to compel (dkt. # <u>87</u> ) and defendants' motion for a protective order (dkt. # <u>94</u> ) are resolved as as described within this order. Signed by District Judge William M. Conley on 12/2/2015. (jef),(ps) (Entered: 12/02/2015)
12/09/2015	<u>111</u>	Affidavit of Krist Boldt in response to <u>110</u> Order . ( <u>Sealed Document</u> ) (Attachments: # <u>1</u> Exhibit Schematic drawing) (Emmerich, Ann),(ps) Modified docket text on 12/9/2015 (nln). (Entered: 12/09/2015)
12/09/2015	<u>112</u>	Response to Discovery Request ( <u>Sealed Document</u> ) by Defendants John Does 1–5, Robin Hampton, Christopher Larsh, Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman. (Attachments: # <u>1</u> Exhibit – 02–14–13 Memo to Lt. Twombly, # <u>2</u> Exhibit – 05–30–13 Memo to Lt. Twombly, # <u>3</u> Cover Letter to Judge Conley, # <u>4</u> Cover Letter to Plaintiff, # <u>5</u> Certificate of Service) (Emmerich, Ann),(ps) (Entered: 12/09/2015)
12/09/2015	<u>113</u>	Letter from Attorney Ann C. Emmerich enclosing DVDs in response to <u>110</u> Order. Note: DVDs routed to chambers for review. (nln),(ps) (Entered: 12/09/2015)
12/11/2015	<u>114</u>	ANSWER to Amended Complaint by Defendants Robin Hampton, Christopher Larsh, Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman. (Attachments: # <u>1</u> Certificate of Service) (Emmerich, Ann),(ps) Modified on 12/14/2015. (lak) (Entered: 12/11/2015)
12/14/2015	<u>115</u>	Motion for Reconsideration (see dkt. <u>118</u> for signed motion) re <u>110</u> Order by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) Modified on 12/21/2015 (jef). (Entered: 12/14/2015)

12/14/2015	<u>116</u>	Declaration of Darreyll T. Thomas re: <u>115</u> Motion for Reconsideration. (jef),(ps) (Entered: 12/14/2015)
12/14/2015	<u>117</u>	Letter from Clerk's Office returning <u>115</u> motion to plaintiff for signature. (jef),(ps) (Entered: 12/14/2015)
12/21/2015	<u>118</u>	Signed copy of <u>115</u> Motion for Reconsideration filed by Darreyll T. Thomas. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 12/21/2015)
01/06/2016	<u>119</u>	Letter from plaintiff Darreyll Thomas re KMCI officials illegal handling of legal mail pertaining to this case. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (nlm),(ps) (Entered: 01/06/2016)
01/07/2016	<u>120</u>	Motion to allow plaintiff to present video footage/recording as an expert witness by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 01/07/2016)
01/12/2016	<u>121</u>	Letter from Clerk's Office in response to <u>119</u> letter from plaintiff Darreyll Thomas. (nlm),(ps) (Entered: 01/12/2016)
02/08/2016	<u>122</u>	Expert Witness Disclosures by Defendants Robin Hampton, Christopher Larsh, Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman, (Attachments: # <u>1</u> Exhibit – Summary of Facts and Opinions of Deputy Markgraf, # <u>2</u> Certificate of Service) (Emmerich, Ann),(ps) Modified on 2/9/2016. (lak) (Entered: 02/08/2016)
02/16/2016	<u>123</u>	Motion to Add Captain Richelle Anhalt, Lieutenant Mark Twombly, Sergeant Dennis Seiren as Defendants / Motion Pursuant to Rules 19 & 20 Federal Rules of Civil Procedure, by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Exhibit I – emails from Lt. Twombly dated 1/15/13, 1/16/13 and 1/18/13, # <u>2</u> Exhibit J – emails from Lt. Towmbly dated 5/30/13 and 4/07/14, # <u>3</u> Exhibit K – Dane County Sheriff's Office Performance Report for 7/28/12 Incident, # <u>4</u> Certificate of Service, # <u>5</u> Envelope) (nlm),(ps) (Entered: 02/16/2016)
02/17/2016	<u>124</u>	Motion to Stay Summary Judgment pending resolution of motions by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 02/17/2016)
02/17/2016	<u>125</u>	<b>MOTION FOR SUMMARY JUDGMENT</b> by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service) (elc),(ps) (Entered: 02/17/2016)
02/17/2016	<u>126</u>	Brief in Support of <u>125</u> Motion for Summary Judgment by Plaintiff Darreyll T. Thomas (elc),(ps) (Entered: 02/17/2016)
02/17/2016	<u>127</u>	Proposed Findings of Fact filed by Plaintiff Darreyll T. Thomas re: <u>125</u> Motion for Summary Judgment (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 15 – Dane County Sheriff's Office Deputy Report, # <u>3</u> Exhibit 16a – Order to Produce dated 7/25/2012, # <u>4</u> Exhibit 17 – Defendants' Response to Admissions, # <u>5</u> Exhibit 18 – Inmate Medical History, # <u>6</u> Exhibit 21 – Special Handling Summary, # <u>7</u> Exhibit 22 – Correct Care Solutions "Man Down" Response Form, # <u>8</u> Exhibit 23 – Correct Care Solutions Emergency Room/Inpatient Referral Form, # <u>9</u> Exhibit 24 – Ambulance Conveyance Service, # <u>10</u> Exhibit 25 – Medical Bracelet, # <u>11</u> Exhibit 26 – UW Hospital Release of Information dated 7/28/2012, # <u>12</u> Exhibit 27 – UW Hospital Itemization of Hospital Services, # <u>13</u> Exhibit 28 – Psychiatric Report Follow-Up, # <u>14</u> Exhibit 29 – Dane County Sheriff's Office Memo. re: Use of Force Incident, # <u>15</u> Exhibit 30 – Defendants' Responses to Interrogatories and Admissions,

		<p># <u>16</u> Exhibit 31 – Memorandum dated 2/14/2013,  # <u>17</u> Exhibit 32 – Dane County Jail Inmate Medical Request,  # <u>18</u> Exhibit 33 – DOC Medical Restrictions Form,  # <u>19</u> Exhibit 34 – DOC Health Transfer Summary,  # <u>20</u> Exhibit 35 – Dane County Sheriff's Office Use of Force Policy,  # <u>21</u> Exhibit 35a – 3/10/2015 Letter to Darreyll Thomas,  # <u>22</u> Exhibit 36 – Dane County Sheriff's Office Incident Documentation Policy,  # <u>23</u> Exhibit 37 – Disbursement Request/Proof of Mailing,  # <u>24</u> Exhibit 38 – DOC Intake Screening/Medical History form,  # <u>25</u> Exhibit 39 – Deputy Sheriff I–II job description,  # <u>26</u> Exhibit 40 – InterQual Review Summary,  # <u>27</u> Exhibit 41 – Psychiatric Provider Initial Evaluation Note dated 7/31/2012,  # <u>28</u> Exhibit 43 – DOC Guidelines for Medical Restrictions/Special Needs,  # <u>29</u> Exhibits 44–50 Progress Notes) Note: Exhibits: 19, 20 and 42 filed separately at dfts. <u>128</u> , <u>129</u> and <u>130</u> . (elc),(ps) (Entered: 02/17/2016)</p>
02/17/2016	<u>128</u>	Declaration of Darreyll T. Thomas re: <u>125</u> Motion for Summary Judgment. (elc),(ps) (Entered: 02/17/2016)
02/17/2016	<u>129</u>	Declaration of Cyrus Brooks filed by Plaintiff Darreyll T. Thomas re: <u>125</u> Motion for Summary Judgment (elc),(ps) (Entered: 02/17/2016)
02/17/2016	<u>130</u>	Affidavit of Carlos A. Cummings filed by Plaintiff Darreyll T. Thomas re: <u>125</u> Motion for Summary Judgment (elc),(ps) (Entered: 02/17/2016)
02/29/2016	<u>131</u>	<b>MOTION FOR PARTIAL SUMMARY JUDGMENT</b> by Defendants Robin Hampton, Christopher Larsh, Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman. (Sullivan, Sheila),(ps) (Entered: 02/29/2016)
02/29/2016	<u>132</u>	Brief in Support of <u>131</u> Motion for Partial Summary Judgment by Defendants Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman. (Sullivan, Sheila),(ps) (Entered: 02/29/2016)
02/29/2016	<u>133</u>	Affidavit of Scott McDonell filed by Defendants Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman re: <u>131</u> Motion for Partial Summary Judgment. (Sullivan, Sheila),(ps) (Entered: 02/29/2016)
02/29/2016	<u>134</u>	Affidavit of Krist Boldt filed by Defendants Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman re: <u>131</u> Motion for Partial Summary Judgment, (Attachments: # <u>1</u> Exhibit A – Incident Reports) (Sullivan, Sheila),(ps) Modified on 3/1/2016. (lak) (Entered: 02/29/2016)
02/29/2016	<u>135</u>	Proposed Findings of Fact filed by Defendants Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman re: <u>131</u> Motion for Partial Summary Judgment, (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Sheila),(ps) Modified on 3/1/2016: Removed duplicate text. (lak) (Entered: 02/29/2016)
03/09/2016	<u>136</u>	Brief in Opposition by Plaintiff Darreyll T. Thomas re: <u>131</u> Motion for Partial Summary Judgment filed by Rob Van Norman, Robin Hampton, Cindy Schuller, Jonathan Triggs, Christopher Larsh, Michael Reese (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 03/09/2016)
03/09/2016	<u>137</u>	Response to Proposed Findings of Fact filed by Plaintiff Darreyll T. Thomas re: <u>131</u> Motion for Partial Summary Judgment (elc),(ps) (Entered: 03/09/2016)
03/15/2016	<u>138</u>	ORDER denying <u>115</u> motion for reconsideration; denying <u>120</u> Motion to allow plaintiff to present video footage/recording as an expert witness; denying <u>123</u> motion to amend complaint; denying <u>124</u> motion to stay decision; denying <u>125</u> , <u>131</u> motions for summary judgment.

		The proceedings in this case are STAYED pending recruitment of counsel for plaintiff. If the court finds counsel willing to represent plaintiff, the court will advise the parties. Soon thereafter, a status conference will be held. Within two weeks of plaintiff's recruited counsel's notice of appearance, defendants shall arrange for plaintiff and his counsel to view the video footage or provide a copy of the video footage to plaintiff's counsel. Signed by District Judge William M. Conley on 3/15/2016. (jef),(ps) (Entered: 03/15/2016)
03/17/2016	<u>139</u>	Letter dated March 14, 2016 requesting a status update by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) No response needed, crossed in the mail with <u>138</u> order. (Entered: 03/17/2016)
05/10/2016	<u>140</u>	ORDER that the clerk's office enter Patrick Koenen of the law firm of Hinshaw & Culbertson as plaintiff's pro bono counsel of record and to set this case for a status conference in June 2016, as the court's schedule allows. Signed by District Judge William M. Conley on 5/10/2016. (jef),(ps) (Entered: 05/10/2016)
05/10/2016		Set Telephone Pretrial or Status Conference: Telephone Pretrial Conference set for Wednesday, 6/8/2016 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. (jef),(ps) (Entered: 05/10/2016)
05/24/2016	<u>141</u>	Notice of Appearance filed by Patrick F. Koenen for Plaintiff Darreyll T. Thomas. (Koenen, Patrick),(ps) (Entered: 05/24/2016)
06/08/2016		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 6/8/2016 [:25] (cak),(ps) (Entered: 06/08/2016)
07/14/2016		Set Telephone Pretrial or Status Conference: Telephone Status Conference set for 7/21/2016 at 01:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for the Plaintiff is responsible for setting up the call to chambers at (608) 264-5153. (cak),(ps) (Entered: 07/14/2016)
07/21/2016		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Status Conference held on 7/21/2016 [:05] (cak),(ps) (Entered: 07/21/2016)
07/29/2016	<u>142</u>	Pretrial Conference Order – Dispositive Motions due 11/18/2016. Rule 26(a)(3) Disclosures and all motions in limine due 3/31/2017. Responses due 4/14/2017. Final Pretrial Conference set for 4/25/2017 at 04:00 PM. Jury Selection and Trial set for 5/1/2017 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 7/27/2016. (jef),(ps) (Entered: 07/29/2016)
11/10/2016	<u>143</u>	Motion to Withdraw as Attorney by Plaintiff Darreyll T. Thomas. (Koenen, Patrick),(ps) (Entered: 11/10/2016)
11/10/2016	<u>144</u>	Proposed Order on <u>143</u> Motion to Withdraw as Attorney by Plaintiff Darreyll T. Thomas. (Koenen, Patrick),(ps) Modified docket text on 11/10/2016 (nlm). (Entered: 11/10/2016)
11/10/2016	<u>145</u>	Cover Letter re: <u>143</u> Motion to Withdraw by Plaintiff Darreyll T. Thomas. (Koenen, Patrick),(ps) Modified on 11/13/2016. (lak) (Entered: 11/10/2016)
11/14/2016	<u>146</u>	Motion to Enforce Settlement <i>Agreement</i> by Defendants Robin Hampton, Christopher Larsh, Michael Reese, Cindy Schuller, Jonathan Triggs and Rob Van Norman. (Emmerich, Ann),(ps) Modified on 11/14/2016 (elc). (Entered: 11/14/2016)
11/14/2016	<u>147</u>	Brief in Support of <u>146</u> Motion to Enforce Settlement, <i>Agreement</i> by Defendants Robin Hampton, Christopher Larsh, Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman (Emmerich, Ann),(ps) Modified on 11/14/2016 (elc). (Entered: 11/14/2016)
11/14/2016	<u>148</u>	Affidavit of Ann C. Emmerich filed by Defendants Robin Hampton, Christopher Larsh, Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman re: <u>146</u> Motion to Enforce Settlement, (Attachments: # <u>1</u> Exhibit A – Mediation Agreement,



		# <u>2</u> Exhibit B – 10/18/16 Letter to Plaintiff's Attorney Enclosing Settlement Check, # <u>3</u> Exhibit C – 10–14–16 Letter to Plaintiff's Attorney Enclosing Settlement Documents) (Emmerich, Ann),(ps) Modified on 11/14/2016 (elc). Modified on 11/15/2016. (lak) (Entered: 11/14/2016)
11/15/2016	<u>149</u>	** TEXT ONLY ORDER ** Plaintiff's recruited counsel, Hinshaw & Culbertson LLP, has filed a motion to withdraw on the ground that plaintiff no longer wishes counsel to represent him (dkt. <u>143</u> ). Shortly thereafter, defendants filed a motion to enforce a settlement agreement that was apparently reached after mediation between defendants and plaintiff, represented by Hinshaw & Culbertson (dkt. <u>146</u> ). It appears possible that recruited counsel's motion to withdraw was prompted by a disagreement with plaintiff over the settlement agreement. Having heard nothing from plaintiff in response to counsel's motion to withdraw, the court will grant that motion. This means that plaintiff must respond, on his own, to defendants' motion to enforce the settlement agreement. Plaintiff may have until November 29, 2016, to file his response to the motion to enforce the settlement. Signed by District Judge William M. Conley on 11/15/2016. (nlm),(ps) (Entered: 11/15/2016)
11/15/2016		Set Deadlines as to <u>146</u> Motion to Enforce Settlement Agreement. Plaintiff's Response due 11/29/2016. (nlm),(ps) (Entered: 11/15/2016)
11/15/2016	<u>150</u>	Certificate of Service by Defendants C.C.I. Dept. / Health Serv. Unit, Dane County – Madison, WI, Dane County Jail, Dane County Jail Administrator, Department of Corrections, John Does 1–5, Robin Hampton, Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman. (Emmerich, Ann),(ps) (Entered: 11/15/2016)
11/28/2016	<u>151</u>	Brief in Opposition by Plaintiff Darreyll T. Thomas re: <u>146</u> Motion to Enforce Settlement filed by Defendants. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 11/28/2016)
12/05/2016	<u>152</u>	Brief in Reply by Defendants Christopher Larsh, Madison Police Department, Prison Health Services Inc., Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman in Support of <u>146</u> Motion to Enforce Settlement, (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Sheila),(ps) Modified on 12/6/2016: Removed duplicate text. (lak) (Entered: 12/05/2016)
12/09/2016	<u>153</u>	Supplemental Brief in Support of <u>146</u> Motion to Enforce Settlement Agreement by Defendants Robin Hampton, Christopher Larsh, Michael Reese, Cindy Schuller, Jonathan Triggs, Rob Van Norman, (Attachments: # <u>1</u> Certificate of Service) (Sullivan, Sheila),(ps) Modified on 12/12/2016. (lak) (Entered: 12/09/2016)
02/13/2017	<u>154</u>	Letter Requesting Docket Sheet by Plaintiff Darreyll T. Thomas. Requested docket sheet mailed to plaintiff. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 02/13/2017)
03/17/2017	<u>155</u>	Letter Requesting Status Update and providing information sent to defendants counsel on February 13, 2017 by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> 2/13/2017 Certified Mail Receipt, # <u>2</u> Certificate of Service, # <u>3</u> Envelope) (elc),(ps) (Entered: 03/17/2017)
03/17/2017	<u>156</u>	Letter from clerk's office in response to <u>155</u> Letter Requesting Status Update. (elc),(ps) (Entered: 03/17/2017)
03/20/2017	<u>157</u>	Notice of Change of Address to Redgranite Correctional Institution by Plaintiff Darreyll T. Thomas. Re-sent dkt. <u>156</u> in case 13–cv–597–wmc to plaintiff at this new address. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 03/20/2017)
04/03/2017	<u>158</u>	ORDER granting defendants' <u>146</u> Motion to Enforce Settlement. Plaintiff's claims are DISMISSED WITH PREJUDICE in accordance with the terms of the mediation agreement signed by the parties. The clerk of court is DIRECTED to enter final

		judgment and close this case. Signed by District Judge William M. Conley on 4/3/2017. (jef),(ps) (Entered: 04/03/2017)
04/03/2017	<u>159</u>	JUDGMENT entered dismissing this case with prejudice. Signed by Peter A. Oppeneer, Clerk of Court on 4/3/2017. (jef),(ps) (Entered: 04/03/2017)
04/07/2017	<u>160</u>	Supplemental Memorandum Concerning the Status of Ruling Regarding Motions for Summary Judgment Filed February 17, 2016 by Plaintiff Darreyll T. Thomas. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (elc),(ps) (Entered: 04/07/2017)
04/10/2017	<u>161</u>	NOTICE OF APPEAL by Plaintiff Darreyll T. Thomas as to <u>138</u> Order, <u>158</u> Order. Filing fee of \$505, receipt number 34690028686 paid. No Docketing Statement filed. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (nlm),(ps) (Entered: 04/10/2017)
04/10/2017	<u>162</u>	Appeal Information Packet. (nlm),(ps) (Entered: 04/10/2017)