

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

HENRY WESTON,

Plaintiff,

v.

ORDER

14-cv-306-jdp

DR. JEFFREY MANLOVE, BELINDA SCHRUBBE,
RN COLE, AMY RADCLIFFE, and ED NEISER¹,

Defendants.

In an order entered on June 1, 2016, plaintiff Henry Weston was granted leave to proceed *in forma pauperis* against defendants Belinda Schrubbe, R.N. Cole, Ed Neiser, Dr. Jeffrey Manlove, and Amy Radcliffe. Pursuant to an informal service agreement between the Wisconsin Department of Justice and this court, the Attorney General's office has filed an Acceptance of Service of plaintiff's complaint on behalf all defendants, except R.N. Cole.

Although the Attorney General's office has indicated that it cannot identify defendant R.N. Cole, plaintiff may be able to provide further information about R.N. Cole which will allow defendant to be served later in this case. Even though plaintiff does not know the full name of R.N. Cole, "when the substance of a pro se civil rights complaint indicates the existence of claims against individual officials not named in the caption of the complaint, the district court must provide the plaintiff with an opportunity to amend the complaint." *Donald v. Cook County Sheriff's Department*, 95 F.3d 548, 555 (7th Cir. 1996). Magistrate Judge Stephen Crocker will discuss with the parties, at the soon-to-be-scheduled preliminary

¹ I have amended the caption to replace R.N. Amy Radchiff with the name Amy Radcliffe as identified in the Acceptance of Service.

pretrial conference, the most efficient way to obtain the identification of this defendant, and will set a deadline for plaintiff to amend the complaint to include this defendant.

The Attorney General's office has agreed to accept electronic service of documents on behalf of the defendants it represents through the court's electronic filing system. This means that for the remainder of this lawsuit, plaintiff does not have to send a paper copy of each document filed with the court to the Attorney General's office or defendants Belinda Schrubbe, Ed Neiser, Dr. Jeffrey Manlove, and Amy Radcliffe. If the identity of defendant R.N. Cole is ascertained, the Attorney General's Office will decide whether to accept electronic service on defendant's behalf. Discovery requests or responses are an exception to the electronic service rule. Usually, those documents should be sent directly to counsel for the opposing party and do not have to be sent to the court. Discovery procedures will be explained more fully at the preliminary pretrial conference.

Entered this 29th day of June, 2016.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge