

**U.S. District Court  
Western District of Wisconsin (Madison)  
CIVIL DOCKET FOR CASE #: 3:14-cv-00849-jdp**

Alexander, Ricky v. Rasmussen, R., et al.  
Assigned to: District Judge James D. Peterson  
Referred to: Magistrate Judge Stephen L. Crocker  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/09/2014  
Date Terminated: 03/13/2017  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Ricky N. Alexander**

represented by **Ricky N. Alexander**  
#570855  
Wisconsin Secure Program Facility  
1101 Morrison Dr.  
P.O. Box 9900  
Boscobel, WI 53805  
PRO SE

V.

**Defendant**

**Dodge Correctional Institution**  
*TERMINATED: 06/27/2016*

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: 07/05/2016*  
*LEAD ATTORNEY*

**Defendant**

**Lieutenant R. Rasmussen**

represented by **Katherine D. Spitz**  
Wisconsin Department of Justice  
17 W. Main Street  
P.O. Box 7857  
Madison, WI 53707-7857  
608-266-1001  
Fax: 608-267-8906  
Email: [spitzkd@doj.state.wi.us](mailto:spitzkd@doj.state.wi.us)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Lieutenant D. Strelow**

represented by **Katherine D. Spitz**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**DCI Complaint Examiner**  
*TERMINATED: 06/27/2016*

**Defendant**

**Warden James R. Schwochert**

represented by **Katherine D. Spitz**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
12/09/2014	<u>1</u>	COMPLAINT against Dodge Correctional Institution, filed by Ricky N. Alexander. (Case randomly assigned to District Judge James D. Peterson.) (Attachments: # <u>1</u> Envelope) (jef) (Entered: 12/09/2014)
12/09/2014	<u>2</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff Ricky N. Alexander. (jef),(ps) (Entered: 12/09/2014)
12/15/2014	<u>3</u>	ORDER on ifp request: Plaintiff to submit Trust fund account statement. Trust Fund Account Statement due 1/5/2015. Signed by Magistrate Judge Peter A. Oppeneer on 12/15/2014. (jef),(ps) (Entered: 12/15/2014)
12/22/2014	<u>4</u>	Prisoner Trust Fund Account Statement by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (jef),(ps) (Additional attachment(s) added on 12/22/2014: # <u>3</u> IPP Calculation) (jef). (Entered: 12/22/2014)
12/23/2014	<u>5</u>	ORDER Assessing Initial partial filing fee of \$ 52.69. Initial partial filing fee due 1/12/2015. Signed by Magistrate Judge Peter A. Oppeneer on 12/23/2014. (elc),(ps) (Entered: 12/23/2014)
01/12/2015	<u>6</u>	Letter from plaintiff regarding filing fee. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 01/12/2015)
01/14/2015		Initial Partial Filing fee received : \$ 250.00, receipt number 34690022052. (jef),(ps) (Entered: 01/14/2015)
03/09/2015	<u>7</u>	Letter Requesting Status Update by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 03/09/2015)
03/12/2015	<u>8</u>	Letter from Clerk's Office in response <u>7</u> to letter requesting status update by plaintiff Ricky N. Alexander. (nlm),(ps) (Entered: 03/12/2015)
05/08/2015	<u>9</u>	Letter Supplement to <u>1</u> Complaint filed by Ricky N. Alexander. (Attachments: # <u>1</u> Exhibits 1-8, # <u>2</u> Envelope) (nlm),(ps) Note, there was no pg. 2 of Exhibit 2 Confidential Informant Statement submitted, even though the document says, ""Over", 12/22/2015 (jef). (Entered: 05/08/2015)
06/02/2015	<u>10</u>	ORDER on Leave to Proceed: Leave to proceed denied and case closed. A strike will be recorded against plaintiff, pursuant to 28 U.S.C. § 1915(g). Signed by District Judge James D. Peterson on 6/2/2015. (jef),(ps) (Entered: 06/02/2015)
06/02/2015	<u>11</u>	<del>JUDGMENT</del> entered denying plaintiff leave to proceed and dismissing this case for failure to state a claim upon which relief can be granted. (PAO/jef). (jef),(ps) Judgment is VACATED per dkt. <u>30</u> order, 4/28/2016 (jef). (Entered: 06/02/2015)
07/01/2015	<u>12</u>	Intent or Request to Amend <u>1</u> Complaint by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 07/01/2015)
07/01/2015	<u>13</u>	Disregard, wrong case. (jef). (Entered: 07/01/2015)
08/03/2015	<u>14</u>	Letter Requesting to Amend <u>1</u> Complaint by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 08/03/2015)
08/17/2015	<u>15</u>	Letter from Ricky N. Alexander requesting leave to file an amended complaint. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 08/17/2015)
08/17/2015	<u>16</u>	Letter from clerk's office in response to <u>15</u> Letter from Ricky N. Alexander requesting leave to file an amended complaint. (elc),(ps) (Entered: 08/17/2015)
08/18/2015	<u>17</u>	ORDER denying plaintiff's <u>12</u> intent or request to amend complaint; denying <u>14</u> request to amend complaint. Signed by District Judge James D. Peterson on 8/18/2015. (jef),(ps) (Entered: 08/18/2015)

09/15/2015	<u>18</u>	Motion for Reconsideration re <u>17</u> Order on Motion to Amend Complaint, by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 09/15/2015)
09/24/2015	<u>19</u>	Letter re: Motion for Reconsideration by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Copy of Motion for Reconsideration (dkt. <u>18</u> ), # <u>2</u> Envelope) (elc),(ps) (Entered: 09/24/2015)
09/24/2015	<u>20</u>	Letter from the clerk's office in resposne to <u>19</u> Letter re: Motion for Reconsideration by Plaintiff Ricky Alexander. (elc),(ps) (Entered: 09/24/2015)
12/22/2015	<u>21</u>	ORDER denying plaintiff's <u>18</u> Motion for Reconsideration. Signed by District Judge James D. Peterson on 12/22/2015. (jef),(ps) (Entered: 12/22/2015)
01/14/2016	<u>22</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (jef). (Entered: 01/14/2016)
01/14/2016	<u>23</u>	Submission re <u>22</u> Motion for Assistance in Recruiting Counsel by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Letters from attorneys and State Senator Lena Taylor) (jef),(ps) (Entered: 01/14/2016)
01/19/2016	<u>24</u>	ORDER denying plaintiff's <u>22</u> , <u>23</u> Motion for Assistance in Recruiting Counsel. Signed by District Judge James D. Peterson on 1/19/2016. (jef),(ps) (Entered: 01/19/2016)
02/29/2016	<u>25</u>	Motion of objection to deem the district court decision as "void" and request for recusal of Judge Peterson by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 02/29/2016)
03/04/2016	<u>26</u>	ORDER denying <u>25</u> motion to deem the district court decision as void and request for recusal. Signed by District Judge James D. Peterson on 3/3/2016. (jef),(ps) (Entered: 03/04/2016)
04/22/2016	<u>27</u>	Motion (see dkt. <u>29</u> for signature) for recusal of Judge James D. Peterson, his partial decision deemed as void, permission to proceed with civil complaint under sec. 1983 and legal representation by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 04/22/2016)
04/22/2016	<u>28</u>	Letter from Clerk's Office returning <u>27</u> motion to plaintiff for signature. (jef),(ps) (Entered: 04/22/2016)
04/28/2016	<u>29</u>	Signed copy of <u>27</u> Motion for Miscellaneous Relief, filed by Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 04/28/2016)
04/28/2016	<u>30</u>	ORDER granting in part <u>27</u> motion for reconsideration. The judgment entered in this case, Dkt. <u>11</u> , is VACATED, and the strike recorded against plaintiff pursuant to 28 U.S.C. § 1915(g) is RESCINDED. Plaintiff may have until May 19, 2016, to file an amended complaint against the defendants who discriminated against him. Signed by District Judge James D. Peterson on 4/28/2016. (jef),(ps) (Entered: 04/28/2016)
05/19/2016	<u>31</u>	Letter to Judge Conley to requesting to reassign case by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 05/19/2016)
05/25/2016	<u>32</u>	ORDER denying <u>31</u> Motion to Reassign Case. Plaintiff may have until June 15, 2016, to file an amended complaint. Signed by District Judge James D. Peterson on 5/25/2016. (jef),(ps) (Entered: 05/25/2016)
05/25/2016		Set Deadlines: Amended complaint due 6/15/2016. (jef),(ps) (Entered: 05/25/2016)
06/10/2016	<u>33</u>	Motion for Extension of Time to file amended complaint by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 06/10/2016)
06/13/2016	<u>34</u>	ORDER granting <u>33</u> Motion for Extension of Time. Plaintiff may have until July 5, 2016 to file his amended complaint. Signed by Magistrate Judge Stephen L. Crocker on 6/13/2016. (jef),(ps) (Entered: 06/13/2016)

06/20/2016	<u>35</u>	Amended Complaint by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 06/20/2016)
06/27/2016	<u>36</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendants R. Rasmussen, D. Strelow, James R. Schwochert. Leave to proceed denied and case dismissed against Dodge Correctional Institution. Materials delivered to DOJ for acceptance of service. Signed by District Judge James D. Peterson on 6/27/2016. (jef),(ps) (Entered: 06/27/2016)
07/05/2016	<u>37</u>	Notice of Appearance filed by Katherine D. Spitz for Defendants R. Rasmussen, James R. Schwochert, D. Strelow, (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 07/05/2016)
07/05/2016	<u>38</u>	Acceptance of Service by DOJ on behalf of Defendants R. Rasmussen, James R. Schwochert, D. Strelow. (Spitz, Katherine),(ps) (Entered: 07/05/2016)
07/05/2016	<u>39</u>	Notice 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. (elc),(ps) (Entered: 07/05/2016)
07/15/2016	<u>40</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 07/15/2016)
07/20/2016	<u>41</u>	ORDER denying <u>40</u> Motion for Assistance in Recruiting Counsel. Signed by District Judge James D. Peterson on 7/20/2016. (jef),(ps) (Entered: 07/20/2016)
08/03/2016	<u>42</u>	ANSWER by Defendants R. Rasmussen, James R. Schwochert, D. Strelow, (Attachments: # <u>1</u> Exhibit – Renumbered Complaint, # <u>2</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 08/03/2016)
08/03/2016		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 8/31/2016 at 02:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Defendant responsible for setting up the call to chambers at (608) 264-5153. [ <u>Notice Regarding the Telephone Preliminary Pretrial Conference</u> attached] (nlm),(ps) (Entered: 08/03/2016)
08/31/2016		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 8/31/2016 [:35] (skv),(ps) (Entered: 08/31/2016)
09/06/2016	<u>43</u>	Pretrial Conference Order – Dispositive Motions for Failure to Exhaust Administrative Remedies due 10/14/2016. Dispositive Motions due 4/28/2017. Rule 26(a)(3) Disclosures and all motions in limine due 10/20/2017. Objections due 11/3/2017. Final Pretrial Conference set for 11/13/2017 at 08:30 AM. Jury Selection and Trial set for 11/13/2017 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 9/6/2016. (jef),(ps) (Entered: 09/06/2016)
10/13/2016	<u>44</u>	<b>MOTION FOR SUMMARY JUDGMENT for Failure to Exhaust Administrative Remedies</b> by Defendants R. Rasmussen, James R. Schwochert, D. Strelow. (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) Modified docket text on 10/13/2016 (nlm). (Entered: 10/13/2016)
10/13/2016	<u>45</u>	Brief in Support of <u>44</u> Motion for Summary Judgment by Defendants R. Rasmussen, James R. Schwochert, D. Strelow. (Spitz, Katherine),(ps) (Entered: 10/13/2016)
10/13/2016	<u>46</u>	Proposed Findings of Fact filed by Defendants R. Rasmussen, James R. Schwochert, D. Strelow re: <u>44</u> Motion for Summary Judgment. (Spitz, Katherine),(ps) (Entered: 10/13/2016)
10/13/2016	<u>47</u>	Declaration of Cindy O'Donnell filed by Defendants R. Rasmussen, James R. Schwochert, D. Strelow re: <u>44</u> Motion for Summary Judgment, (Attachments: # <u>1</u> Exhibit 1000 – ICRS History Report, # <u>2</u> Exhibit 1001 – WSPF-2013-9278, # <u>3</u> Exhibit 1002 – DCI-2013-10292, # <u>4</u> Exhibit 1003 – WSPF-2013-18986, # <u>5</u> Exhibit 1004 – DCI-2014-16939,

		# <u>6</u> Exhibit 1005 – DCI–2014–20316, # <u>7</u> Exhibit 1006 – Return Letter #186949 (1776087), # <u>8</u> Exhibit 1007 – Return Letter #200205 (2013–9278), # <u>9</u> Exhibit 1008 – Return Letter #201877 (2014–16939), # <u>10</u> Exhibit 1009 – Return Letter #204147 (2014–20316)) (Spitz, Katherine),(ps) (Entered: 10/13/2016)
10/13/2016		Set Briefing Deadlines as to <u>44</u> MOTION FOR SUMMARY JUDGMENT <i>for Failure to Exhaust Administrative Remedies</i> . Plaintiff's Brief in Opposition due 11/3/2016. Defendants' Brief in Reply due 11/10/2016. (nlm),(ps) (Entered: 10/13/2016)
11/07/2016	<u>48</u>	Brief in Opposition by Plaintiff Ricky N. Alexander re: <u>44</u> Motion for Summary Judgment, filed by D. Strelow, R. Rasmussen, James R. Schwochert. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 11/07/2016)
11/07/2016	<u>49</u>	Response to Proposed Findings of Fact filed by Plaintiff Ricky N. Alexander re: <u>44</u> Motion for Summary Judgment. (elc),(ps) (Entered: 11/07/2016)
11/07/2016		Set/Reset Deadlines as to <u>44</u> MOTION FOR SUMMARY JUDGMENT for Failure to Exhaust Administrative Remedies. Defendants' Brief in Reply due 11/14/2016. (elc),(ps) (Entered: 11/07/2016)
11/11/2016	<u>50</u>	Brief in Reply by Defendants R. Rasmussen, James R. Schwochert, D. Strelow in Support of <u>44</u> Motion for Summary Judgment, (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 11/11/2016)
11/11/2016	<u>51</u>	Reply in Support of Proposed Findings of Fact filed by Defendants R. Rasmussen, James R. Schwochert, D. Strelow re: <u>44</u> Motion for Summary Judgment. (Spitz, Katherine),(ps) (Entered: 11/11/2016)
11/28/2016	<u>52</u>	Motion to Request Discovery by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Record Request Response dated 10/24/16, # <u>2</u> Record Request Response dated 11/8/16, # <u>3</u> Letter from Ricky Alexander to Karen Parenteau, Records Office dated 10/27/16, # <u>4</u> Envelope) (nlm),(ps) (Entered: 11/28/2016)
11/29/2016		Set Briefing Deadlines as to <u>52</u> Motion to Request Discovery. Defendants' Brief in Opposition due 12/6/2016. Plaintiff's Brief in Reply due 12/16/2016. (nlm),(ps) (Entered: 11/29/2016)
12/01/2016	<u>53</u>	Brief in Opposition by Defendants R. Rasmussen, James R. Schwochert, D. Strelow re: <u>52</u> Motion for Discovery, filed by Ricky N. Alexander, (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 12/01/2016)
12/01/2016	<u>54</u>	Declaration of Katherine D. Spitz filed by Defendants R. Rasmussen, James R. Schwochert, D. Strelow re: <u>52</u> Motion for Discovery. (Spitz, Katherine),(ps) (Entered: 12/01/2016)
12/15/2016	<u>55</u>	Brief in Reply by Plaintiff Ricky N. Alexander in Support of <u>52</u> Motion for Discovery. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 12/15/2016)
12/15/2016	<u>56</u>	Declaration of Ricky Alexander filed by Plaintiff Ricky N. Alexander re: <u>52</u> Motion for Discovery. (elc),(ps) (Entered: 12/15/2016)
12/15/2016	<u>57</u>	Letter from Plaintiff to AAG Spitz dated 12/9/2016. (elc),(ps) (Entered: 12/15/2016)
02/02/2017	<u>58</u>	Supplement/Letter to Judge Peterson re: <u>52</u> Motion for Discovery, filed by Ricky N. Alexander. (Attachments: # <u>1</u> 1/30/2017 Letter to AAG Spitz, # <u>2</u> Envelope) (elc),(ps) (Entered: 02/02/2017)
02/02/2017	<u>59</u>	Declaration of Ricky N. Alexander re <u>58</u> Supplement. (elc),(ps) (Entered: 02/02/2017)
02/16/2017	<u>60</u>	Motion for Expungement by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 02/16/2017)
03/03/2017	<u>61</u>	Declaration of Ricky N. Alexander re: <u>60</u> Motion for Expungement. (Attachments: # <u>1</u> Letter from AAG Spitz,

		# <u>2</u> Envelope) (jef),(ps) (Entered: 03/03/2017)
03/06/2017	<u>62</u>	Motion to Take Deposition from Ricky N. Alexander by Defendants R. Rasmussen, James R. Schwochert, D. Strelow. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 03/06/2017)
03/13/2017	<u>63</u>	ORDER granting defendants' <u>44</u> Motion for Summary Judgment; denying as moot <u>52</u> , <u>60</u> , <u>62</u> all other pending motions. The clerk of court is directed to enter judgment in favor of defendants and close the case. Signed by District Judge James D. Peterson on 3/13/2017. (jef),(ps) (Entered: 03/13/2017)
03/13/2017	<u>64</u>	JUDGMENT entered in favor of defendants dismissing this case. Signed by Peter A. Oppeneer, Clerk of Court on 3/13/2017. (jef),(ps) (Entered: 03/13/2017)
03/15/2017	<u>65</u>	Motion to Deny Counsel's Request, by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 03/15/2017)
03/23/2017	<u>66</u>	Motion for Reconsideration by Plaintiff Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 03/23/2017)
03/23/2017	<u>67</u>	Declaration of Ricky N. Alexander re: <u>66</u> Motion for Reconsideration. (elc),(ps) (Entered: 03/23/2017)
03/28/2017	<u>68</u>	Brief in Opposition by Defendants R. Rasmussen, James R. Schwochert, D. Strelow re: <u>66</u> Motion for Reconsideration filed by Ricky N. Alexander, (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 03/28/2017)
04/14/2017	<u>69</u>	Brief in Reply by Plaintiff Ricky N. Alexander in Support of <u>66</u> Motion for Reconsideration/Objection to Defendant's Opposition. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 04/14/2017)
07/28/2017	<u>70</u>	Supplement to <u>69</u> Brief in Reply/Request to Grant Motion for Reconsideration filed by Ricky N. Alexander. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 07/28/2017)
08/24/2017	<u>71</u>	ORDER denying plaintiff's <u>66</u> Motion for Reconsideration and denying plaintiff's <u>65</u> Motion to deny counsel's request to depose plaintiff. Signed by District Judge James D. Peterson on 8/24/2017. (elc),(ps) (Entered: 08/24/2017)
09/13/2017	<u>72</u>	NOTICE OF APPEAL by Plaintiff Ricky N. Alexander as to <u>63</u> Order, <u>64</u> Judgment, <u>71</u> Order. In forma pauperis pending. No Docketing Statement filed. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 09/13/2017)
09/13/2017	<u>73</u>	Appeal Information Packet. (nlm),(ps) (Entered: 09/13/2017)