

**U.S. District Court  
Western District of Wisconsin (Madison)  
CIVIL DOCKET FOR CASE #: 3:15-cv-00108-wmc**

Mitchell, Roy v. Kallas, Kevin 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,  
15-01881

Date Filed: 02/18/2015  
Jury Demand: Defendant  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

**Plaintiff**

**Roy Mitchell**

represented by **Roy Mitchell**  
Dane County Jail  
115 W. Doty St.  
Madison, WI 53703  
PRO SE

V.

**Defendant**

**Edward F. Wall**  
*TERMINATED: 04/07/2015*

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: 05/15/2015*  
*LEAD ATTORNEY*

**Defendant**

**Gary Hamblin**  
*TERMINATED: 04/07/2015*

**Defendant**

**Kevin Kallas**

represented by **Corey Francis Finkelmeyer**  
(See above for address)  
*TERMINATED: 05/15/2015*  
*LEAD ATTORNEY*

**Jody J. Schmelzer**  
Wisconsin Department of Justice  
P.O. Box 7857  
Madison, WI 53707  
(608) 266-3094  
Fax: (608) 267-8906  
Email: [schmelzerjj@doj.state.wi.us](mailto:schmelzerjj@doj.state.wi.us)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr. Dawn Laurent**

represented by **Corey Francis Finkelmeyer**  
(See above for address)  
*TERMINATED: 05/15/2015*  
*LEAD ATTORNEY*

**Jody J. Schmelzer**  
(See above for address)

**Defendant****Joseph Ruhnke**

TERMINATED: 04/07/2015

**Defendant****Brittany Wolfe**

TERMINATED: 04/07/2015

**Defendant****Nicole Raisbeck**

TERMINATED: 04/07/2015

Date Filed	#	Docket Text
02/18/2015	<u>1</u>	COMPLAINT against All Defendants, filed by Roy Mitchell. (Case non-randomly assigned to District Judge William M. Conley.) (jef) (Additional attachment(s) added on 5/12/2015: # <u>1</u> Exhibit B – Policies, procedures, # <u>2</u> Exhibit E – Correspondence, report, # <u>3</u> Exhibit K – Report) (jef). The remaining Exhibits A through DD are filed conventionally, and are currently at the Court of Appeals. (jef). (Entered: 02/18/2015)
02/18/2015	<u>2</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff Roy Mitchell. (jef),(ps) (Entered: 02/18/2015)
02/20/2015	<u>3</u>	ORDER on ifp request: Plaintiff's <u>2</u> motion for leave to proceed without prepayment of fees is granted. Complaint taken under advisement for screening. Signed by Magistrate Judge Peter A. Oppeneer on 2/20/2015. (nlm),(ps) (Entered: 02/20/2015)
02/20/2015		Motion for In Forma Pauperis Screening. (nlm),(ps) (Entered: 02/20/2015)
02/20/2015	<u>4</u>	Exhibit JJ (CD) to <u>1</u> Complaint filed by Roy Mitchell. (jef),(ps) Note, that Exhibits EE-II (Psychological services report, articles and webpages) are also filed conventionally. (jef) (Entered: 02/20/2015)
02/25/2015	<u>5</u>	Motion for Imminent Danger Temporary Injunctive Relief by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 02/25/2015)
02/25/2015	<u>6</u>	Declaration of Roy Mitchell re: <u>5</u> Motion for Emergency Injunctive Relief. (Attachments: # <u>1</u> Decisions) (jef),(ps) (Entered: 02/25/2015)
03/02/2015	<u>7</u>	Exhibit KK to <u>1</u> Complaint filed by Roy Mitchell. Note: Page 2–8 are photocopies and not very clear and cut off at the bottom of the page. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 03/02/2015)
03/11/2015	<u>8</u>	Letter from plaintiff. (Attachments: # <u>1</u> Exhibit LL – Correspondence, webpages, # <u>2</u> Envelope) (jef),(ps) Note, the letter is 3 pages, 3/11/2015 (jef). (Entered: 03/11/2015)
03/27/2015	<u>9</u>	Exhibit to <u>5</u> Motion for Emergency Injunctive Relief filed by Roy Mitchell (Attachments: # <u>1</u> Receipt from Madison Police Department, # <u>2</u> Envelope) (elc),(ps) (Entered: 03/27/2015)
04/06/2015	<u>10</u>	Declaration of Roy Mitchell re: <u>5</u> Motion for Emergency Injunctive Relief. (Attachments: # <u>1</u> Decision, 022713–39907–A, # <u>2</u> Envelope) (jef),(ps) (Entered: 04/06/2015)

04/07/2015	<u>11</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendants Kevin Kallas, Dawn Laurent. Leave to proceed denied and case dismissed against Joseph Ruhnke, Edward F. Wall, Brittany Wolfe, Gary Hamblin and Nicole Raisbeck. Materials delivered to DOJ for acceptance of service. Signed by District Judge William M. Conley on 4/6/2015. (jef),(ps) (Entered: 04/07/2015)
04/08/2015	<u>12</u>	Letter dated 4/4/2015 regarding <u>5</u> Motion for Emergency Injunctive Relief filed by Roy Mitchell. (Attachments: # <u>1</u> Notification of sentence data, revocation hearing request, # <u>2</u> Envelope) (jef),(ps) (Entered: 04/08/2015)
04/08/2015	<u>13</u>	Letter dated 4/6/2015 regarding <u>5</u> Motion for Emergency Injunctive Relief filed by Roy Mitchell. (Attachments: # <u>1</u> Letter from UW Law School student, # <u>2</u> Envelope) (jef),(ps) (Entered: 04/08/2015)
04/08/2015	<u>14</u>	ORDER denying <u>5</u> motion for a temporary restraining order or preliminary injunction. Signed by District Judge William M. Conley on 4/8/2015. (jef),(ps) (Entered: 04/08/2015)
04/13/2015	<u>15</u>	Motion for Reconsideration re <u>11</u> Order on Leave to Proceed by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Attorney Rejection Letter, # <u>2</u> Envelope) (elc),(ps) (Entered: 04/13/2015)
04/14/2015	<u>16</u>	Notice of Appearance filed by Jody J. Schmelzer for Defendants Kevin Kallas, Dawn Laurent. (Attachments: # <u>1</u> Certificate of Service) (Schmelzer, Jody),(ps) (Entered: 04/14/2015)
04/14/2015	<u>17</u>	Acceptance of Service by DOJ on behalf of Defendants Kevin Kallas, Dawn Laurent. (Schmelzer, Jody),(ps) (Entered: 04/14/2015)
04/14/2015	<u>18</u>	Notice that for the remainder of this lawsuit plaintiff need only send a copy of her filings in this case to the court pursuant to an informal service agreement with the Wisconsin Department of Justice. (elc),(ps) (Entered: 04/14/2015)
04/15/2015	<u>19</u>	ORDER denying plaintiff Roy Mitchell's <u>15</u> motion for reconsideration. Signed by District Judge William M. Conley on 4/15/2015. (nlm),(ps) (Entered: 04/15/2015)
04/16/2015	<u>20</u>	Letter from plaintiff Roy Mitchell Requesting Appeal Forms. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 04/16/2015)
04/23/2015	<u>21</u>	NOTICE OF APPEAL – INTERLOCUTORY by Plaintiff Roy Mitchell as to <u>11</u> Order on ifp request – Order on Leave to Proceed, <u>14</u> Order on Motion for Emergency Injunctive Relief, <u>19</u> Order on Motion for Reconsideration. In forma pauperis requested. No Docketing Statement filed. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 04/23/2015)
04/23/2015	<u>22</u>	Motion for Leave to Proceed in forma pauperis on Appeal by Plaintiff Roy Mitchell. (jef),(ps) (Entered: 04/23/2015)
04/23/2015	<u>23</u>	Letter from plaintiff regarding discovery. (Attachments: # <u>1</u> Notice regarding service, # <u>2</u> Wis. DOJ request for medical release authorization) (jef),(ps) (Entered: 04/23/2015)
04/23/2015	<u>24</u>	Appeal Information Packet. (jef),(ps) (Entered: 04/23/2015)
04/23/2015	<u>25</u>	Transmission of Notice of Appeal, Docket Sheet and Judgment to Seventh Circuit Court of Appeals re <u>21</u> Notice of Appeal. (Attachments: # <u>1</u> Order, 4/7/15, # <u>2</u> Order, 4/8/15, # <u>3</u> Order, 4/15/15, # <u>4</u> Docket sheet) (jef),(ps) (Entered: 04/23/2015)
04/24/2015	26	USCA Case Number 15–1881 for <u>21</u> Notice of Appeal, filed by Roy Mitchell. (jef),(ps) (Entered: 04/24/2015)

04/24/2015	<u>27</u>	ORDER granting <u>22</u> Motion for Leave to Appeal in forma pauperis. The clerk of court is directed to administratively close this case pending the outcome of Mitchell's interlocutory appeal. Signed by District Judge William M. Conley on 4/24/2015. (jef),(ps) (Entered: 04/24/2015)
04/27/2015	<u>28</u>	Docketing Statement re <u>21</u> Notice of Appeal. (Attachments: # <u>1</u> Cover Letter and Envelope) (elc),(ps) (Entered: 04/27/2015)
04/27/2015	<u>29</u>	Motion for Assistance Appointing Counsel by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> 10/14/1998 Police Report, # <u>2</u> Envelope) (elc),(ps) (Entered: 04/27/2015)
04/27/2015	<u>30</u>	Supplement to <u>29</u> Motion for Assistance Appointing Counsel filed by Roy Mitchell. (Attachments: # <u>1</u> 4/21/2015 Attorney Rejection Letter, # <u>2</u> Envelope) (elc),(ps) (Entered: 04/27/2015)
04/29/2015	<u>31</u>	Order DENYING <u>29</u> Motion for recruitment of pro bono counsel. The clerk's office shall transfer this motion (dkt. # <u>29</u> ) and the attendant supplemental memorandum (dkt. # <u>30</u> ) to the Seventh Circuit for consideration along with Mitchell's pending appeal. Signed by District Judge William M. Conley on 4/29/2015. (elc),(ps) (Entered: 04/29/2015)
04/30/2015	<u>32</u>	Certified and Transmitted Record on Appeal to US Court of Appeals re <u>21</u> Notice of Appeal. (Attachments: # <u>1</u> Certification) (nlm),(ps) (Entered: 04/30/2015)
05/01/2015	<u>33</u>	Transcript Request Form by Plaintiff Roy Mitchell re <u>21</u> Notice of Appeal. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 05/01/2015)
05/04/2015	<u>34</u>	Court Reporter Certification of Seventh Circuit Transcript Information Sheet re: <u>21</u> Notice of Appeal – Interlocutory by Plaintiff Roy Mitchell. (arw),(ps) (Entered: 05/04/2015)
05/04/2015	<u>35</u>	Letter requesting clarification regarding defendants' answer by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 05/04/2015)
05/15/2015	<u>36</u>	ANSWER with Jury Demand by Defendants Kevin Kallas, Dawn Laurent. (Attachments: # <u>1</u> Re-Numbered Complaint, # <u>2</u> Certificate of Service) (Schmelzer, Jody),(ps) (Entered: 05/15/2015)
05/26/2015	<u>37</u>	Copy of letter sent to Brad Schimel with an additional note about exhaustion added by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 05/26/2015)
06/01/2015	<u>38</u>	Notice of Change of Address to Dane County Jail and request for copies of any filings made since May 23, 2015 by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 06/01/2015)
06/10/2015	<u>39</u>	Motion to Strike <u>36</u> Answer by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (elc),(ps) (Entered: 06/10/2015)
06/10/2015	<u>40</u>	Motion for Sanctions by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (elc),(ps) (Entered: 06/10/2015)
06/10/2015	<u>41</u>	Notice of Change of Address to Dane County Jail and request for docket sheet by Plaintiff Roy Mitchell. (elc),(ps) (Entered: 06/10/2015)
06/11/2015	<u>42</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Medical Records (Redacted), # <u>2</u> May 30, 2015 Newspaper Article, # <u>3</u> June 2, 2015 Newspaper article,

		# <u>4</u> Envelope) (elc),(ps) (Entered: 06/11/2015)
06/11/2015	<u>43</u>	ORDER from USCA denying plaintiff–Appellant's motion filed on June 10, 2015 as to <u>21</u> Notice of Appeal, filed by Roy Mitchell. (elc),(ps) (Entered: 06/11/2015)
06/15/2015	<u>44</u>	Supplement to <u>42</u> Motion for Assistance in Recruiting Counsel filed by Roy Mitchell. (Attachments: # <u>1</u> Exhibits (redacted), # <u>2</u> Envelope) (elc),(ps) (Entered: 06/15/2015)
06/19/2015	<u>45</u>	Letter from plaintiff regarding settlement attempt. (Attachments: # <u>1</u> Letter to Attorney Schmelzer, # <u>2</u> Envelope) (jef),(ps) (Entered: 06/19/2015)
06/29/2015	<u>46</u>	Supplement to <u>42</u> Motion for Assistance in Recruiting Counsel filed by Roy Mitchell (Attachments: # <u>1</u> Dane County Sheriff's Office Jail Event Summary Report, # <u>2</u> Attorney Rejection Letter, # <u>3</u> Envelope) (elc),(ps) (Entered: 06/29/2015)
07/08/2015	<u>47</u>	Motion for change of judge presiding over case by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 07/08/2015)
07/08/2015	<u>48</u>	Declaration of Ms. Roy Mitchell re: <u>47</u> Motion for change of judge. (elc),(ps) (Entered: 07/08/2015)
07/13/2015	<u>49</u>	Motion to Amend Complaint, by Plaintiff Roy Mitchell. (Attachments: # <u>1</u> Dane COunty Sheriff's Office Jail Event Summary Report, # <u>2</u> Envelope) (elc),(ps) (Entered: 07/13/2015)
07/15/2015	<u>50</u>	Supplement to <u>40</u> Motion for Sanctions filed by Roy Mitchell. (Attachments: # <u>1</u> Cover Letter with request for docket sheet and Envelope) (elc),(ps) (Entered: 07/15/2015)
07/15/2015	<u>51</u>	Supplement to <u>49</u> Motion to Amend Complaint filed by Roy Mitchell (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 07/15/2015)
07/20/2015	<u>52</u>	Letter from Plaintiff Roy Mitchell dated 7/16/2015 re: defendants Ruhnke, Wolfe and Raisbeck. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 07/20/2015)
08/06/2015	<u>53</u>	ORDER Reopening Case. Plaintiff's Motion to Strike Answer (dkt. # <u>39</u> ), Motion for Sanctions (dkt. # <u>40</u> ), Motion for Assistance in Recruiting Counsel (dkt. # <u>42</u> ), Motion for Change of Judge (dkt. # <u>47</u> ) and Motion to Amend Complaint (dkt. # <u>49</u> ) are DENIED. The clerk's office is DIRECTED to set this matter for a preliminary pretrial conference before Magistrate Judge Stephen Crocker. Signed by District Judge William M. Conley on 8/6/2015. (elc),(ps) (Entered: 08/06/2015)
08/06/2015		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 8/27/2015 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. [Notice Regarding the Telephone Preliminary Pretrial Conference attached] (elc),(ps) (Entered: 08/06/2015)
08/17/2015	<u>54</u>	NOTICE OF APPEAL – INTERLOCUTORY by Plaintiff Roy Mitchell as to <u>53</u> Order. In forma pauperis requested. No Docketing Statement filed. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 08/18/2015)
08/17/2015	<u>55</u>	Motion for Leave to Proceed in forma pauperis on Appeal by Plaintiff Roy Mitchell. (jef),(ps) (Entered: 08/18/2015)
08/17/2015	<u>56</u>	Affidavit of Roy Mitchell re: <u>55</u> Motion for Leave to Proceed In Forma Pauperis on Appeal. (jef),(ps) (Entered: 08/18/2015)
08/17/2015	<u>57</u>	Inmate Account Statement by Plaintiff Roy Mitchell. (jef),(ps) (Entered: 08/18/2015)

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Appeal Information Packet. (jef),(ps) (Entered: 08/18/2015)