

**U.S. District Court  
Western District of Wisconsin (Madison)  
CIVIL DOCKET FOR CASE #: 3:15-cv-00126-jdp**

Tanksley, James v. Litscher, Jon et al  
Assigned to: District Judge James D. Peterson  
Referred to: Magistrate Judge Stephen L. Crocker  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 02/27/2015  
Date Terminated: 08/15/2017  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**James A. Tanksley**

represented by **James A. Tanksley**  
#338469  
Waupun Correctional Institution  
200 S. Madison St.  
P.O. Box 351  
Waupun, WI 53963-0351  
(920) 324-5571  
PRO SE

V.

**Defendant**

**Jon E. Litscher**

represented by **Corey Francis Finkelmeyer**  
Wisconsin Department of Justice  
P.O. Box 7857  
Madison, WI 53707  
(608) 266-7342  
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*TERMINATED: 05/11/2016*  
*LEAD ATTORNEY*

**Mpoli N. Simwanza-Johnson**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Brian Foster**

represented by **Corey Francis Finkelmeyer**  
(See above for address)  
*TERMINATED: 05/11/2016*  
*LEAD ATTORNEY*

**Mpoli N. Simwanza-Johnson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Wisconsin Department of Corrections**

represented by **Corey Francis Finkelmeyer**  
(See above for address)  
*TERMINATED: 05/11/2016*  
*LEAD ATTORNEY*

**Mpoli N. Simwanza–Johnson**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**E–filing Institution**

**WCI Prison Facility**  
Waupun Correctional Institution  
200 S. Madison St.  
P.O. Box 351  
Waupun, WI 53963–0351

Date Filed	#	Docket Text
02/27/2015	<u>1</u>	COMPLAINT against All Defendants, filed by James A. Tanksley. (Case randomly assigned to District Judge James D. Peterson.) (Attachments: # <u>1</u> JS–44 Civil Cover Sheet, # <u>2</u> Summonses, # <u>3</u> Cover Letter, # <u>4</u> Envelope) (jef). (Entered: 02/27/2015)
02/27/2015	<u>2</u>	Motion for Use of Release Account Funds by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Proposed order) (jef),(ps) (Entered: 02/27/2015)
03/02/2015	<u>3</u>	ORDER denying plaintiff's <u>2</u> Motion for Use of Release Account Funds. (Filing fee or motion and Trust Fund Account Statement due 3/25/2015.) Signed by Magistrate Judge Peter A. Oppeneer on 3/2/2015. (jef),(ps) (Entered: 03/02/2015)
03/09/2015	<u>4</u>	Letter from Clerk's Office returning extra copy of complaint to plaintiff per his <u>1</u> cover letter request. (jef),(ps) (Entered: 03/09/2015)
03/09/2015	<u>5</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 03/09/2015)
03/09/2015	<u>6</u>	Prisoner Trust Fund Account Statement by Plaintiff James A. Tanksley. (jef),(ps) (Entered: 03/09/2015)
03/13/2015	<u>7</u>	ORDER on ifp request: Initial partial filing fee of \$ 147.17 assessed. Initial partial filing fee due 4/3/2015. Signed by Magistrate Judge Peter A. Oppeneer on 3/13/15. (jef),(ps) (Entered: 03/13/2015)
03/30/2015	<u>8</u>	Letter from plaintiff regarding filing fee. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 03/30/2015)
04/07/2015		Initial Partial Filing fee received: \$147.17, receipt number 34690022722. (jef),(ps) (Entered: 05/06/2015)
04/09/2015	<u>9</u>	ORDER denying <u>8</u> Motion for Use of Release Account Funds. Plaintiff may have an enlargement of time, to May 1, 2015, to pay his \$147.17 initial partial payment. If plaintiff does not have the money to make the initial partial payment in his regular account, he will have to arrange with prison authorities to pay some or all of the assessment from his release account. Signed by Magistrate Judge Peter A. Oppeneer on 4/9/2015. (jef),(ps) (Entered: 04/09/2015)
04/22/2015	<u>10</u>	Letter requesting docket sheet and when defendants have been served by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Envelope) (jef),(ps) Modified on 4/22/2015 (jef). (Entered: 04/22/2015)
04/22/2015	<u>11</u>	Letter from Clerk's Office in response to <u>10</u> letter from plaintiff. (jef),(ps) (Entered: 04/22/2015)
05/06/2015	<u>12</u>	Warden PLRA Letter. (jef),(ps) (Entered: 05/06/2015)
06/15/2015	<u>13</u>	Letter Requesting Status Update by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 06/15/2015)

06/17/2015	<u>14</u>	Letter from Clerk's Office in response to <u>13</u> letter requesting status update by Plaintiff James A. Tanksley. (nl), (ps) (Entered: 06/17/2015)
02/01/2016	<u>15</u>	Letter Requesting Status Update by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Envelope) (nl), (ps) (Entered: 02/01/2016)
02/08/2016	<u>16</u>	Letter from Clerk's Office in response to <u>15</u> letter from plaintiff. (nl), (ps) (Entered: 02/08/2016)
04/28/2016	<u>17</u>	ORDER on Leave to Proceed: Jon E. Litscher is substituted for Edward Wall, and Brian Foster is substituted for William Pollard. Plaintiff granted leave to proceed against Defendants Wisconsin Department of Corrections, Brian Foster, Jon E. Litscher. Materials delivered to DOJ for acceptance of service. Signed by District Judge James D. Peterson on 4/28/2016. (jef), (ps) (Entered: 04/28/2016)
05/11/2016	<u>18</u>	Disregard. Replaced by dkt. <u>21</u> . Modified on 5/13/2016 (nl). (Entered: 05/11/2016)
05/11/2016	<u>19</u>	Disregard. Replaced by dkt. <u>20</u> . Modified on 5/11/2016 (elc). (Entered: 05/11/2016)
05/11/2016	<u>20</u>	Notice of Appearance filed by Mpoli N. Simwanza-Johnson for Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections, (Attachments: # <u>1</u> Certificate of Service) (Simwanza-Johnson, Mpoli), (ps) (Entered: 05/11/2016)
05/13/2016	<u>21</u>	Acceptance of Service by DOJ on behalf of Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections, (Attachments: # <u>1</u> Certificate of Service) (Simwanza-Johnson, Mpoli), (ps) (Entered: 05/13/2016)
05/13/2016	<u>22</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. (nl), (ps) (Entered: 05/13/2016)
06/07/2016	<u>23</u>	ANSWER by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections, (Attachments: # <u>1</u> Certificate of Service) (Simwanza-Johnson, Mpoli), (ps) (Entered: 06/07/2016)
06/07/2016		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 7/12/2016 at 02:30 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] (nl), (ps) (Entered: 06/07/2016)
06/17/2016	<u>24</u>	Motion for Leave to File Amended Complaint, by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (nl), (ps) (Entered: 06/17/2016)
06/20/2016	<u>25</u>	** TEXT ONLY ORDER ** On June 17, 2016, plaintiff James Tanksley filed a motion for leave to file an amended complaint and asked for a 30-day extension to do so. Dkt. <u>24</u> . It is GRANTED. With the proposed deadline, July 18, 2016, plaintiff's amended complaint would fall outside of the 21-day time-frame to file without leave of court. After June 28, 2016, plaintiff may still file an amended complaint, but he must explain why he needs the amendment. Plaintiff is advised that if he wishes to file an amended complaint after June 28, 2016, he must file a new motion by July 18, 2016, explaining why he should be permitted to amend his complaint at this stage in the case, as well as his proposed amended complaint. At that time, the court will decide whether to allow the amendment. Signed by Magistrate Judge Stephen L. Crocker on 6/20/2016. (nl), (ps) (Entered: 06/20/2016)
06/22/2016	<u>26</u>	Motion to deny the defendants' motion to dismiss the complaint re <u>23</u> Answer by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (jef), (ps) (Entered: 06/22/2016)
06/30/2016	<u>27</u>	Amended Complaint by Plaintiff James A. Tanksley. Note: this is the operative pleading per November 23, 2016 order, dkt. <u>34</u> . (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (jef), (ps) Modified on 11/23/2016 (elc). (Entered: 06/30/2016)

07/18/2016	<u>28</u>	Pretrial Conference Order – Dispositive Motions for Failure to Exhaust Administrative Remedies due 8/26/2016. Dispositive Motions due 3/17/2017. Rule 26(a)(3) Disclosures and all motions in limine due 9/8/2017. Objections due 9/22/2017. Final Pretrial Conference set for 10/2/2017 at 08:30 AM. Jury Selection and Trial set for 10/2/2017 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 7/15/2016. (jef),(ps) (Entered: 07/18/2016)
07/19/2016		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 7/12/2016 [:15] (elc),(ps) (Entered: 07/19/2016)
08/10/2016	<u>29</u>	Letter Requesting Docket Sheet and pretrial conference order by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 08/10/2016)
08/22/2016	<u>30</u>	First Request for Production of Documents by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (jef),(ps) (Entered: 08/22/2016)
08/22/2016	<u>31</u>	Letter from Clerk's Office to plaintiff regarding his dkt. <u>30</u> discovery request. (jef),(ps) (Entered: 08/22/2016)
10/03/2016	<u>32</u>	Responses to Discovery Requests by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Response to defendants' first set of interrogatories, # <u>2</u> Response to defendants' first request for production of documents, # <u>3</u> Certificate of Service, # <u>4</u> Envelope) (jef),(ps) (Entered: 10/03/2016)
10/28/2016	<u>33</u>	Motion for an Order directing the Defendants to Answer the Amended Complaint by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter and Envelope) (elc),(ps) (Entered: 10/28/2016)
11/23/2016	<u>34</u>	ORDER that plaintiff's amended complaint, dkt. <u>27</u> is the operative pleading in this case; denying plaintiff's <u>26</u> Motion to deny the defendants' motion to dismiss the complaint; denying plaintiff's <u>33</u> Motion for an Order directing the Defendants to Answer the Amended Complaint. Signed by District Judge James D. Peterson on 11/23/2016. (elc),(ps) (Entered: 11/23/2016)
12/01/2016	<u>35</u>	ANSWER to Amended Complaint by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections, (Attachments: # <u>1</u> Certificate of Service) (Simwanza–Johnson, Mpoli),(ps) Modified on 12/2/2016. (lak) (Entered: 12/01/2016)
01/23/2017	<u>36</u>	Motion to Compel by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter and Envelope) (elc),(ps) (Entered: 01/23/2017)
01/23/2017		Set Deadlines as to <u>36</u> Motion to Compel. Defendants' Brief in Opposition due 1/30/2017. Plaintiff's Brief in Reply due 2/9/2017. (elc),(ps) (Entered: 01/23/2017)
01/30/2017	<u>37</u>	Brief in Opposition by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>36</u> Motion to Compel filed by James A. Tanksley, (Attachments: # <u>1</u> Certificate of Service) (Simwanza–Johnson, Mpoli),(ps) (Entered: 01/30/2017)
01/30/2017	<u>38</u>	Declaration of Kelli R. Willard West filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>36</u> Motion to Compel. (Simwanza–Johnson, Mpoli),(ps) (Entered: 01/30/2017)
02/06/2017	<u>39</u>	Motion for Extension of Time (unsigned – signed copy at dkt. <u>41</u> ) by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter Requesting Docket Sheet and Envelope) (elc),(ps) Modified on 2/13/2017 (elc). (Entered: 02/06/2017)

02/06/2017	<u>40</u>	Letter from clerk's office returning <u>39</u> Motion for Extension of Time to plaintiff for signature. (elc),(ps) (Entered: 02/06/2017)
02/13/2017	<u>41</u>	Signed copy of <u>39</u> MOTION for Extension of Time filed by James A. Tanksley. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 02/13/2017)
02/13/2017	<u>42</u>	** TEXT ONLY ORDER ** ORDER granting in part plaintiff's <u>39</u> Motion for Extension of Time. Plaintiff may have until February 23, 2017 to file his reply in support of his motion to compel. Signed by Magistrate Judge Stephen L. Crocker on 2/13/2017. (elc),(ps) (Entered: 02/13/2017)
02/23/2017	<u>43</u>	Motion for Extension of Time by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 02/23/2017)
02/23/2017	<u>44</u>	** TEXT ONLY ORDER ** ORDER granting <u>43</u> Motion for Extension of Time. Plaintiff's brief in reply in support of his motion to compel is due March 24, 2017. Signed by Magistrate Judge Stephen L. Crocker on 2/23/2017. (jef),(ps) (Entered: 02/23/2017)
03/03/2017	<u>45</u>	Expert Witness Disclosures by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections, (Attachments: # <u>1</u> Certificate of Service) (Simwanza-Johnson, Mpoli),(ps) (Entered: 03/03/2017)
03/17/2017	<u>46</u>	<b>MOTION FOR SUMMARY JUDGMENT</b> by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections, (Attachments: # <u>1</u> Certificate of Service) (Simwanza-Johnson, Mpoli),(ps) (Entered: 03/17/2017)
03/17/2017	<u>47</u>	Ex Parte Motion to Seal <i>Exhibit</i> ( <u>Ex Parte Document</u> ) by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Exhibit 106 – 13 Problematic Images from Initiatory Deck) (Simwanza-Johnson, Mpoli),(ps) Modified on 3/19/2017. (lak) (Entered: 03/17/2017)
03/17/2017	<u>48</u>	Brief in Support of <u>46</u> Motion for Summary Judgment by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. (Simwanza-Johnson, Mpoli),(ps) (Entered: 03/17/2017)
03/17/2017	<u>49</u>	Proposed Findings of Fact filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>46</u> Motion for Summary Judgment. (Simwanza-Johnson, Mpoli),(ps) (Additional attachment(s) added on 3/20/2017 per request for Department of Justice: # <u>1</u> Plaintiff's Response to Requests for Admission) (elc). (Entered: 03/17/2017)
03/17/2017	<u>50</u>	Declaration of Kelli West filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>46</u> Motion for Summary Judgment, (Attachments: # <u>1</u> Exhibit 100 – DAI Policy 309.00.50 Pornography (8/15/16), # <u>2</u> Exhibit 101 – DAI Policy 309.20.03 Property Limits (3/1/16), # <u>3</u> Exhibit 102 – DAI Policy 309.61.01 Property Beliefs & Practices (10/24/16), # <u>4</u> Exhibit 103 – DAI Policy 309.61.02 Religious Property (2/22/15) & Chart (4/1/16), # <u>5</u> Exhibit 104 – 2011 Request From DOC-2075, # <u>6</u> Exhibit 105 – 2013 Request From DOC-2075, # <u>7</u> Exhibit 106 – 13 Problematic Images from Initiatory Deck, # <u>8</u> Exhibit 107 – Sample Images from Golden Dawn Enochian Skrying Deck, # <u>9</u> Exhibit – Plaintiff's Responses to Defendants' Request to Admit) (Simwanza-Johnson, Mpoli),(ps) Modified on 3/19/2017. (lak) (Entered: 03/17/2017)
03/17/2017	<u>51</u>	Declaration of Jonathan Dickey filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>46</u> Motion for Summary Judgment, (Attachments: # <u>1</u> Exhibit 108 – Dickey Resume, # <u>2</u> Exhibit 109 – Tanksley's Unredacted Reclassification Report, # <u>3</u> Exhibit 110 – Unredacted STATIC-99R) (Simwanza-Johnson, Mpoli),(ps) Modified on 3/19/2017. (lak) (Entered: 03/17/2017)

03/17/2017	<u>52</u>	Declaration of Anthony Meli filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>46</u> Motion for Summary Judgment. (Simwanza-Johnson, Mpoli),(ps) (Entered: 03/17/2017)
03/20/2017		Set Briefing Deadlines as to <u>46</u> MOTION FOR SUMMARY JUDGMENT . [ <u>Pro Se Summary Judgment Procedure for Cases Assigned to Judge Peterson</u> attached.] Plaintiff's Brief in Opposition due 4/19/2017. Defendants' Brief in Reply due 5/1/2017. (nlm),(ps) (Entered: 03/20/2017)
03/20/2017	<u>53</u>	Brief in Reply by Plaintiff James A. Tanksley in Support of <u>36</u> Motion to Compel. (Attachments: # <u>1</u> List of Attached Documents, # <u>2</u> Plaintiff's Request for New Religious Practice (Form DOC-2075), # <u>3</u> DAI Policy 309.61.02 Inmate Request for New Religious Practices or Property (Effective as of 2/22/2015), # <u>4</u> Certificate of Service, # <u>5</u> Cover Letter and Envelope) (nlm),(ps) (Entered: 03/20/2017)
03/20/2017		Set Deadlines as to <u>47</u> Motion for Leave to File Exhibit Under Seal and Ex Parte. Plaintiff's Response due 3/27/2017. (nlm),(ps) (Entered: 03/20/2017)
03/27/2017	<u>54</u>	Motion for Extension of Time to Respond to Defendants' <u>47</u> Motion for Leave to File Exhibit Under Seal and Ex Parte, filed by Plaintiff James A. Tanksley. (Attachments: # <u>1</u> Cover Letter and Envelope) (nlm),(ps) (Entered: 03/27/2017)
03/29/2017	55	<p><b>** TEXT ONLY ORDER **</b></p> <p>On March 17, 2017, defendants filed their motion for summary judgment (dkt. <u>46</u> ), along with supporting documents that include the declaration of Kelli R. Willard West (dkt. <u>50</u> ) in which Willard West generally describes how 13 tarot cards from the disputed deck, as a group, violate DOC's policies prohibiting inmate possession of pornography. See dkt. <u>50</u> at Paragraph 44. Willard West has not attached images of those 13 cards to her declaration. See Exh. 106 (dkt. <u>50</u> -7), which consists of four blank pages. Defendants simultaneously filed a motion (dkt. <u>47</u> ) for leave to file Exh. 106 ex parte and under seal, to which they attached photocopies of the 13 disputed tarot cards (dkt. <u>47</u> -1). The court gave plaintiff until March 27 to respond to the motion to file ex parte; on that date, plaintiff filed a motion for an extension of time to April 28, 2017, which appears to encompass not only plaintiff's response to defendants' motion to submit ex parte, but also his response to defendants' motion for summary judgment. Regardless whether this is what plaintiff actually is requesting, this is what the court is providing to him. Plaintiff has until April 28, 2017 to file his response to the motion for summary judgment (dkt. <u>46</u> ) and the motion to seal (dkt. <u>47</u> ). To be clear, the court is not giving plaintiff an April 28 deadline to respond only to the motion to seal, to be followed on some later date by plaintiff's response to the summary judgment motion. Both responses are due on the same date. Defendants' reply to plaintiff's responses is due by May 10, 2017.</p> <p>In the meantime, not later than April 10, 2017, defendants must submit into the open record—that is, for plaintiff's review—a verbal description of each of the 13 disputed cards along with defendants' explanation of how, in their view, each of the disputed cards violates DOC's pornography policies. In other words, defendants are to expand on paragraph 44 of Willard West's declaration by providing the specifics as to each card. For clarity of reference, defendants should assign a number to each disputed card in the order that the cards are presented in dkt. <u>47</u> -1, proceeding in left-to-right rows across each page.</p> <p>Signed by Magistrate Judge Stephen L. Crocker on 3/29/2017. (nlm),(ps) (Entered: 03/29/2017)</p>
04/07/2017	<u>56</u>	Declaration of Michael Saunders in support of defendants' <u>46</u> Motion for Sumamry Judgment and Response to 55 Order, filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. (Attachments: # <u>1</u> Certificate of Service) (Simwanza-Johnson, Mpoli),(ps) Modified on 4/7/2017 (elc). (Entered: 04/07/2017)
04/24/2017	<u>57</u>	Second Motion for Extension of Time to Respond to Defendants' <u>47</u> Motion for Leave to File Exhibit Under Seal and Ex Parte and <u>46</u> Motion for Summary Judgment, filed by Plaintiff James A. Tanksley. (Attachments:

		# <u>1</u> Certificate of Mailing, # <u>2</u> Cover Letter and Envelope) (nl), (ps) Modified on 4/24/2017 (nl). (Entered: 04/24/2017)
04/25/2017	58	** TEXT ONLY ORDER ** ORDER granting <u>57</u> Second Motion for Extension of Time to Respond to Defendants' <u>47</u> Motion for Leave to File Exhibit Under Seal and Ex Parte and <u>46</u> Motion for Summary Judgment. Plaintiff's responses are now due 5/26/2017. There will be no further extensions of this deadline. Defendants' reply to plaintiff's responses is due by 6/5/2017. Signed by Magistrate Judge Stephen L. Crocker on 4/25/2017. (nl), (ps) (Entered: 04/25/2017)
04/25/2017	<u>59</u>	Motion for Extension of Time <i>and Clarification of April 25, 2017 Text Order</i> by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (Simwanza-Johnson, Mpoli), (ps) (Entered: 04/25/2017)
04/27/2017	60	** TEXT ONLY ORDER ** Defendants filed a motion for extension of time and clarification of April 25, 2017 text only order. Dkt. <u>59</u> . Defendants' motion is GRANTED. Defendants' reply to plaintiff's responses is now due June 20, 2017. It is further ORDERED that the April 25 text only order that extended plaintiff's deadline to respond to defendants' motions for leave to file under seal and ex parte and motion for summary judgment, does NOT authorize plaintiff to file a cross-motion for summary judgment, because the deadline for filing dispositive motions already has passed. Signed by Magistrate Judge Stephen L. Crocker on 4/27/2017. (nl), (ps) (Entered: 04/27/2017)
05/05/2017	<u>61</u>	ORDER granting <u>36</u> Motion to Compel. Not later than May 12, 2017, defendants must disclose to plaintiff the names of the Religious Practices Advisory Committee members. Signed by Magistrate Judge Stephen L. Crocker on 5/5/2017. (jef), (ps) (Entered: 05/05/2017)
05/12/2017	<u>62</u>	Certificate of Service re: Defendants' Supplemental Response to Plaintiff's First Request for Production of Documents in response to <u>61</u> Order by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. (Simwanza-Johnson, Mpoli), (ps) Modified on 5/15/2017. (lak) Modified on 5/15/2017 (elc). (Entered: 05/12/2017)
05/26/2017	<u>63</u>	Brief in Opposition by Plaintiff James A. Tanksley re: <u>46</u> Motion for Summary Judgment filed by Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter) (elc), (ps) (Entered: 05/26/2017)
05/26/2017	<u>64</u>	Declaration of James A. Tanksley re: <u>46</u> Motion for Summary Judgment. (elc), (ps) (Entered: 05/26/2017)
05/26/2017	<u>65</u>	Exhibits filed by Plaintiff James A. Tanksley in Opposition to <u>46</u> Motion for Summary Judgment filed by Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections (Attachments: # <u>1</u> Exhibit 2 – Revised Notice of Proposed Class Action Settlement in Aiello v. Litscher 98-C-791-C, # <u>2</u> Exhibit 3 – DOC 309.61, # <u>3</u> Exhibit 4 – Offender Complaint, # <u>4</u> Exhibit 5 – Textbook Excerpts, # <u>5</u> Exhibit 6 – Body Drawings) (elc), (ps) (Entered: 05/26/2017)
05/30/2017	<u>66</u>	Letter from plaintiff regarding electronically filed documents and advising that Exhibit 7 in response to defendants motion for summary judgment is a book and will be sent by U.S. Mail. (Attachments: # <u>1</u> Envelope) (elc), (ps) (Entered: 05/30/2017)
05/30/2017	<u>67</u>	Motion for Extension of Time to submit Response to Proposed Findings of Fact and Exhibit 7 by Plaintiff James A. Tanksley. (elc), (ps) (Entered: 05/30/2017)
05/30/2017	<u>68</u>	Response to Proposed Findings of Fact filed by Plaintiff James A. Tanksley re: <u>46</u> Motion for Summary Judgment. (Attachments:

		# <u>1</u> Certificate of Service) (elc),(ps) (Entered: 05/30/2017)
05/31/2017	<u>69</u>	Exhibit 7 – Book: An Introduction to The Golden Dawn Tarot filed by plaintiff re: <u>46</u> Motion for Summary Judgment filed by Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. Book filed conventionally and located in the Clerk's Office Exhibit Room, Pro Se Shelf. (Attachments: # <u>1</u> Cover Letter and Envelope) (elc),(ps) (Entered: 05/31/2017)
05/31/2017	70	** TEXT ONLY ORDER ** ORDER denying as unnecessary plaintiff's <u>67</u> Motion for Extension of Time to submit his response to proposed findings of fact and exhibit 7. Plaintiff's submissions have been received and filed by the court. Signed by Magistrate Judge Stephen L. Crocker on 5/31/2017. (elc),(ps) (Entered: 05/31/2017)
06/06/2017	<u>71</u>	Exhibit 8 Initiatory Tarot of the Golden Dawn filed by plaintiff James Tanksley re: <u>46</u> Motion for Summary Judgment filed by Defendants. Tarot Cards filed conventionally and located in the Clerk's Office Exhibit Room, Pro Se Shelf. (Attachments: # <u>1</u> Shipping Invoice/Packing List, # <u>2</u> Cover Letter and Envelope) (elc),(ps) Added scan of ISBN numbers from bottom of package to main document on 6/6/2017 (jef). See dkt. <u>74</u> for scanned version of the cards per dkt. 73 text order. (jef) (Entered: 06/06/2017)
06/08/2017	<u>72</u>	Motion for Clarification or Inspection of Plaintiff's <u>71</u> Exhibit 8, by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. (Attachments: # <u>1</u> Certificate of Service) (Simwanza–Johnson, Mpoli),(ps) Modified on 6/8/2017 (nlm). (Entered: 06/08/2017)
06/09/2017	73	** TEXT ONLY ORDER ** ORDER granting in part dkt. <u>72</u> defendants' motion for clarification or inspection of plaintiff's exhibit 8. The court will open the tarot card deck and file images of each card under seal for the time being, pending ruling on defendants' motion to file images of some cards under seal and ex parte (dkt. <u>47</u> ). Signed by Magistrate Judge Stephen L. Crocker on 6/9/2017. (jef),(ps) (Entered: 06/09/2017)
06/09/2017	<u>74</u>	Exhibit 8 Tarot Cards re: <u>71</u> Exhibit, filed by James A. Tanksley, <u>46</u> Motion for Summary Judgment. (Sealed Document) (Attachments: # <u>1</u> Remainder of the tarot card set) (jef),(ps) (Entered: 06/09/2017)
06/20/2017	<u>75</u>	Supplemental Proposed Findings of Fact filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>46</u> Motion for Summary Judgment. (Simwanza–Johnson, Mpoli),(ps) (Entered: 06/20/2017)
06/20/2017	<u>76</u>	Disregard. See <u>80</u> . Modified on 6/22/2017. (lak) (Entered: 06/20/2017)
06/20/2017	<u>77</u>	Reply in Support of Proposed Findings of Fact filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>46</u> Motion for Summary Judgment. (Simwanza–Johnson, Mpoli),(ps) (Entered: 06/20/2017)
06/20/2017	<u>78</u>	Brief in Reply by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections in Support of <u>46</u> Motion for Summary Judgment, (Attachments: # <u>1</u> Certificate of Service) (Simwanza–Johnson, Mpoli),(ps) (Entered: 06/20/2017)
06/20/2017	<u>79</u>	Letter Stating No Reply to be Filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>47</u> Motion to Seal, filed by Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections. (Simwanza–Johnson, Mpoli),(ps) (Entered: 06/20/2017)
06/21/2017	<u>80</u>	Supplemental Declaration of Jonathan Dickey filed by Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections re: <u>46</u> Motion for Summary Judgment. (Simwanza–Johnson, Mpoli),(ps) (Entered: 06/21/2017)
06/29/2017	81	** TEXT ONLY ORDER ** ORDER granting <u>47</u> Motion to Seal. Signed by Magistrate Judge Stephen L. Crocker on 6/29/2017. (jef),(ps) (Entered: 06/29/2017)
08/04/2017	<u>82</u>	Supplemental Response to Proposed Findings of Fact filed by Plaintiff James A. Tanksley re: <u>46</u> Motion for Summary Judgment. (Attachments: # <u>1</u> Certificate of Service,



		# <u>2</u> Cover Letter) (jef),(ps) Modified text on 8/4/2017 (jef). (Entered: 08/04/2017)
08/15/2017	<u>83</u>	ORDER granting defendants' <u>46</u> Motion for Summary Judgment. Signed by District Judge James D. Peterson on 8/15/2017. (elc),(ps) Modified to unseal on 8/15/2017 (elc/cew). (Entered: 08/15/2017)
08/15/2017	<u>84</u>	Redacted <u>83</u> Order on Motion for Summary Judgment. (elc),(ps) (Entered: 08/15/2017)
08/15/2017	<u>85</u>	JUDGMENT entered in favor of Defendants Brian Foster, Jon E. Litscher, Wisconsin Department of Corrections dismissing the case. Signed by Peter A. Oppeneer, Clerk of Court on 8/15/2017. (elc),(ps) (Entered: 08/15/2017)
08/21/2017	<u>86</u>	Letter from plaintiff James A. Tanksley requesting docket sheet and appeal packet. Mailed requested docket sheet and appeal packet to plaintiff. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 08/21/2017)
09/05/2017	<u>87</u>	Letter Requesting Copy of dkt. <u>26</u> by Plaintiff James A. Tanksley received with check for \$0.20. Copy sent to plaintiff. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 09/05/2017)
09/11/2017	<u>88</u>	NOTICE OF APPEAL by Plaintiff James A. Tanksley as to <u>85</u> Judgment, <u>83</u> Order on Motion for Summary Judgment. In forma pauperis requested. No Docketing Statement filed. (jef),(ps) (Entered: 09/11/2017)
09/11/2017	<u>89</u>	Motion for Leave to Proceed in forma pauperis on Appeal by Plaintiff James A. Tanksley. (jef),(ps) (Entered: 09/11/2017)
09/11/2017	<u>90</u>	Prisoner Trust Fund Account Statement by Plaintiff James A. Tanksley. (jef),(ps) (Entered: 09/11/2017)
09/11/2017	<u>91</u>	Appeal Information Packet. (jef),(ps) (Entered: 09/11/2017)