

11/18/2015

ECF Western District of Wisconsin

**U.S. District Court**  
**Western District of Wisconsin (Madison)**  
**CIVIL DOCKET FOR CASE #: 3:15-cv-00426-wmc**

Mitchell, Roy v. State of Wisconsin Department of Health Services

Assigned to: District Judge William M. Conley

Referred to: Magistrate Judge Stephen L. Crocker

Case in other court: Seventh Circuit Court of Appeals, 15-03541

Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/08/2015

Date Terminated: 11/03/2015

Jury Demand: None

Nature of Suit: 550 Prisoner: Civil Rights

Jurisdiction: Federal Question

**Plaintiff**

**Roy Mitchell**

represented by **Roy Mitchell**

Dane County Jail

115 W. Doty St.

Madison, WI 53703

PRO SE

V.

**Defendant**

**State of Wisconsin Department of Health Services**

represented by **Corey Francis Finkelmeyer**

Wisconsin Department of Justice

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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*


<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/08/2015	<a href="#"><u>1</u></a>	COMPLAINT against Defendant State of Wisconsin Department of Health Services, Plaintiff filed by Roy Mitchell. (Case non-randomly assigned to District Judge William M. Conley.) (Attachments: # <a href="#"><u>1</u></a> Ex. A - General Requests and Simple Resident Transaction Details, # <a href="#"><u>2</u></a> Ex. B - Sworn Declaration of Ms. Roy Mitchell, # <a href="#"><u>3</u></a> Ex. C - Notice of Injury and Claim, # <a href="#"><u>4</u></a> Ex. D - WI Division of Hearings and Appeals Decision dated 7/01/15, GHC denial letter (redacted), letter to Dept of Admin Division of Hearings and Appeals dated 4/21/15 (redacted), Dane County Grievance Investigation Results dated 6/23/15,

		<p># <a href="#">5</a> Ex. E - GHC Visit Summary (redacted),  # <a href="#">6</a> Ex. F - copy of Wis. Stats. § 302.386,  # <a href="#">7</a> Ex. G - copy of Fields v. Smith, 712 F.Supp.2d 830 (2010),  # <a href="#">8</a> Ex. H - copy of Planned Parenthood of Southeastern Pennsylvania v. Casey, 505 U.S. 833 (1992),  # <a href="#">9</a> Envelope) (nl) (Entered: 07/08/2015)</p>
07/08/2015	 <a href="#">2</a>	<p>Motion for Leave to Proceed in forma pauperis by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Ex. A - General Requests and Simple Resident Transaction Details) (nl),(ps) (Additional attachment(s) added on 7/10/2015: # <a href="#">2</a> IPP Calculation) (nl). (Entered: 07/08/2015)</p>
07/10/2015	<a href="#">3</a>	<p>Motion to Amend/Correct Defendant(s) re: <a href="#">1</a> Complaint by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Exhibit - Dane County Sheriff's General Request re: names, # <a href="#">2</a> Cover Letter and Envelope) (elc),(ps) (Entered: 07/10/2015)</p>
07/10/2015	 <a href="#">4</a>	<p>Inmate Account/Transaction Statement by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Dane County Sheriff's Office General Request form) (elc),(ps) (Entered: 07/10/2015)</p>
07/10/2015	<a href="#">5</a>	<p>ORDER on ifp request: Initial partial filing fee of \$ 2.20 assessed. Initial partial filing fee due 8/7/2015. Signed by Magistrate Judge Peter A. Oppeneer on 7/10/15. (nl),(ps) (Entered: 07/10/2015)</p>
07/13/2015	<a href="#">6</a>	<p>Supplement to <a href="#">3</a> Motion to Amend/Correct Defendants filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (elc),(ps) (Entered: 07/13/2015)</p>
07/20/2015	<a href="#">7</a>	<p>Motion to Waive the Initial Partial Filing Fee by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (elc),(ps) (Entered: 07/20/2015)</p>
07/22/2015	<a href="#">8</a>	<p>ORDER denying <a href="#">7</a> Motion to Waive Initial Partial Filing Fee without prejudice. Initial partial filing fee due 8/25/2015. Signed by Magistrate Judge Peter A. Oppeneer on 7/22/2015. (elc),(ps) (Entered: 07/22/2015)</p>
07/22/2015	<a href="#">9</a>	<p>Letter from plaintiff Roy Mitchell providing name of Kitty Rhoads as Secretary of State of Wisconsin Department of Health Services. (Attachments: # <a href="#">1</a> Envelope) (elc),(ps) (Entered: 07/22/2015)</p>
07/22/2015		<p>Partial Filing fee received : \$ 2.20, receipt number 34690023566 (elc),(ps) (Entered: 07/22/2015)</p>
07/22/2015	<a href="#">10</a>	<p>Letter from Plaintiff Roy Mitchell submitting initial partial filing fee. (Attachments: # <a href="#">1</a> Envelope) (elc),(ps) (Entered: 07/22/2015)</p>
07/22/2015	<a href="#">11</a>	<p>Warden PLRA Letter. (elc),(ps) (Entered: 07/22/2015)</p>
07/22/2015	<a href="#">12</a>	<p>Letter from plaintiff to AAG Finkelmeyer re: Settlement. (Attachments: # <a href="#">1</a> Wis. Stats. 165.08) (elc),(ps) (Entered: 07/22/2015)</p>


07/22/2015	<a href="#">13</a>	Motion to Amend <a href="#">1</a> Complaint to add Americans with Disability Act and Federal Rehabilitation Act claims by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Copy of statutes of Public Law from 1973, # <a href="#">2</a> 4/10/2012 Letter to plaintiff from Dane County D.A.'s Office, # <a href="#">3</a> Copy of 10/14/1998 Police Report, # <a href="#">4</a> Envelope) (elc),(ps) (Entered: 07/22/2015)
07/22/2015	<a href="#">14</a>	Supplement to <a href="#">13</a> Motion to Amend Complaint, filed by Roy Mitchell (Attachments: # <a href="#">1</a> Exhibit) (elc),(ps) (Entered: 07/22/2015)
07/24/2015	<a href="#">15</a>	Supplemental Exhibit to Complaint filed by Roy Mitchell. (Attachments: # <a href="#">1</a> July 20, 2015 WI State Journal Article, # <a href="#">2</a> Envelope) (elc),(ps) (Entered: 07/24/2015)
07/29/2015	<a href="#">16</a>	Supplemental Exhibit to <a href="#">13</a> Motion to Amend Complaint, filed by Roy Mitchell (Attachments: # <a href="#">1</a> Fact Sheet from US Dept. of Health and Human Services, # <a href="#">2</a> Envelope) (elc),(ps) (Entered: 07/29/2015)
07/31/2015	<a href="#">17</a>	Supplement to <a href="#">13</a> Motion to Amend Complaint, filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (jef),(ps) (Entered: 07/31/2015)
08/17/2015	<a href="#">18</a>	Motion for Assistance in Recruiting Counsel by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Attorney rejection letter, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 08/18/2015)
08/17/2015	<a href="#">19</a>	Supplement to requested injunctive relief as set forth in the <a href="#">1</a> complaint filed by Roy Mitchell (Attachments: # <a href="#">1</a> Envelope) (jef),(ps) (Entered: 08/18/2015)
08/17/2015	<a href="#">20</a>	Letter Requesting Docket Sheet by Plaintiff Roy Mitchell. (jef),(ps) (Entered: 08/18/2015)
08/17/2015	<a href="#">21</a>	Supplement dated 8/11/15 to <a href="#">1</a> Complaint filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (jef),(ps) (Entered: 08/18/2015)
08/19/2015	<a href="#">22</a>	Supplement dated 8/15/2015 to <a href="#">1</a> Complaint, <a href="#">13</a> Motion to Amend Complaint, filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (jef),(ps) (Entered: 08/19/2015)
09/02/2015	<a href="#">23</a>	Supplemental Exhibit to <a href="#">1</a> Complaint, filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Magazine article / Bending the Rules by S. Tia Brown, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 09/02/2015)
09/02/2015	<a href="#">24</a>	Supplement to Exhibit D to <a href="#">1</a> Complaint filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Supplement to Exhibit D at dkt. <a href="#">1</a> - Division of Hearings and Appeals information, # <a href="#">2</a> Envelope) (jef),(ps) Modified (Entered: 09/02/2015)

09/03/2015	<a href="#">25</a>	Supplement to <a href="#">13</a> Motion to Amend Complaint, filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Page 359 of Public Law 93-112-Sept. 26, 1973, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 09/04/2015)
09/17/2015	<a href="#">26</a>	Letter regarding exhaustion re: <a href="#">1</a> Complaint, filed by Roy Mitchell. (jef),(ps) (Entered: 09/17/2015)
09/17/2015	<a href="#">27</a>	Letter Requesting Docket Sheet by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (jef),(ps) (Entered: 09/17/2015)
09/17/2015	<a href="#">28</a>	Letter from Clerk's Office in response to plaintiff's September 17, 2015 copy request. (jef),(ps) (Entered: 09/17/2015)
09/21/2015	<a href="#">29</a>	Supplement to <a href="#">18</a> Motion for Assistance in Recruiting Counsel filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Attorney rejection letters (2), # <a href="#">2</a> Letter sent to attorney Sally Stix, # <a href="#">3</a> Magazine article, # <a href="#">4</a> Envelope) (jef),(ps) (Entered: 09/21/2015)
09/23/2015	<a href="#">30</a>	Supplement to <a href="#">1</a> Complaint, filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Exhibit E - Medical records, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 09/23/2015)
09/24/2015	<a href="#">31</a>	Motion for Assistance in Recruiting Counsel by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Medical assessment, grievance documents, medical and mental health requests, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 09/24/2015)
09/24/2015	<a href="#">32</a>	Declaration of Roy Mitchell re: <a href="#">31</a> Motion for Assistance in Recruiting Counsel. (jef),(ps) (Entered: 09/24/2015)
09/28/2015	<a href="#">33</a>	Letter to AAG Finkelmeyer re: Compromise and Settlement by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (elc),(ps) (Entered: 09/28/2015)
10/01/2015	<a href="#">34</a>	Supplement to <a href="#">31</a> Motion for Assistance in Recruiting Counsel filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Attorney Rejection Letter, # <a href="#">2</a> Dane County Sheriff's Office Security Services Manual re: Prisoner Access to Legal Materials, # <a href="#">3</a> Envelope) (elc),(ps) (Entered: 10/01/2015)
10/05/2015	<a href="#">35</a>	Motion for Temporary Restraining Order by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (elc),(ps) (Entered: 10/05/2015)
10/05/2015	<a href="#">36</a>	Declaration of Plaintiff Roy Mitchell re: <a href="#">35</a> Motion for TRO. (elc),(ps) (Entered: 10/05/2015)
10/07/2015	<a href="#">37</a>	Supplement to <a href="#">18</a> , <a href="#">31</a> Motions for Assistance in Recruiting Counsel filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Attorney rejection letter,

		# <a href="#">2</a> Envelope) (jef),(ps) (Entered: 10/07/2015)
10/07/2015	<a href="#">38</a>	Supplement / Submission of Exhibit Caitlyn Jenner article, filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Caitlyn Jenner article, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 10/07/2015)
10/08/2015	<a href="#">39</a>	Supplement to <a href="#">18</a> , <a href="#">31</a> Motions for Assistance in Recruiting Counsel filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (elc),(ps) (Entered: 10/08/2015)
10/13/2015	<a href="#">40</a>	Supplement/Submission of Plaintiff's Exhibit D by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Exhibit D - GHC Denial of Treatment Coverage, # <a href="#">2</a> Envelope) (elc),(ps) (Entered: 10/13/2015)
10/15/2015	<a href="#">41</a>	Supplement/Submission of Wisconsin Statute 302.386 (5m) by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Wisconsin Statute 302.386, # <a href="#">2</a> Envelope) (elc),(ps) (Entered: 10/15/2015)
10/15/2015	<a href="#">42</a>	Brief in Support of <a href="#">35</a> Motion for TRO/Injunctive Relief by Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Cover Letter and Request for Docket Sheet, # <a href="#">2</a> Envelope) (elc),(ps) (Entered: 10/15/2015)
10/16/2015	<a href="#">43</a>	Supplemental Declaration of filed by Plaintiff Roy Mitchell in support of re: <a href="#">1</a> , <a href="#">35</a> injunctive relief. (Attachments: # <a href="#">1</a> Fields v. Smith excerpt, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 10/16/2015)
10/16/2015	<a href="#">44</a>	Supplemental Declaration of filed by Plaintiff Roy Mitchell re: injunctive relief as set forth in the <a href="#">1</a> Complaint. (Attachments: # <a href="#">1</a> Fields v. Smith Westlaw summary, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 10/16/2015)
10/19/2015	<a href="#">45</a>	Supplement / Submission of Exhibit advice column, filed by Roy Mitchell (Attachments: # <a href="#">1</a> Advice column (page 5 of submission), # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 10/19/2015)
10/21/2015	<a href="#">46</a>	Supplement / Submission of Exhibit letter from Tammy Baldwin, filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Letter from Tammy Baldwin, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 10/21/2015)
10/22/2015	<a href="#">47</a>	Supplement / Submission of Exhibits filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Publication: Suicide Attempts Among Transgender and Gender Non-Conforming Adults, # <a href="#">2</a> Wis. Stats. 893.82, # <a href="#">3</a> Fed. R. Civ. P. 5.1 and 28 U.S.C. 2403, # <a href="#">4</a> Envelope) (jef),(ps) (Entered: 10/22/2015)
10/26/2015	<a href="#">48</a>	Supplemental Exhibits to <a href="#">35</a> Motion for TRO filed by Roy Mitchell.

		(Attachments: # <a href="#">1</a> Exhibits, # <a href="#">2</a> Envelope) (elc),(ps) (Entered: 10/26/2015)
10/29/2015	<a href="#">49</a>	Supplement Submitting Letter from The Jeff Scott Olson Law Firm re: <a href="#">31</a> Motion for Assistance in Recruiting Counsel filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Attorney Rejection Letter, # <a href="#">2</a> Correct Care Solutions Progress Notes, # <a href="#">3</a> Mental Health Request Forms, # <a href="#">4</a> Envelope) (elc),(ps) (Entered: 10/29/2015)
10/30/2015	<a href="#">50</a>	Supplement / Submission of Exhibits in support of injunctive relief, filed by Roy Mitchell. (Attachments: # <a href="#">1</a> Letters, blog, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 10/30/2015)
11/03/2015	<a href="#">51</a>	ORDER on Leave to Proceed: Leave to proceed denied and case dismissed for lack of subject matter jurisdiction. Signed by District Judge William M. Conley on 11/3/2015. (jef),(ps) (Entered: 11/03/2015)
11/03/2015	<a href="#">52</a>	JUDGMENT entered denying plaintiff's motion for leave to proceed and dismissing this case for lack of subject matter jurisdiction. (PAO/jef). (jef), (ps) (Entered: 11/03/2015)
11/12/2015	<a href="#">53</a>	NOTICE OF APPEAL by Plaintiff Roy Mitchell as to <a href="#">51</a> Order, <a href="#">52</a> Judgment. In forma pauperis requested. Docketing Statement filed. (Attachments: # <a href="#">1</a> Docketing statement, # <a href="#">2</a> Judgment, # <a href="#">3</a> Envelope) (jef),(ps) (Entered: 11/12/2015)
11/12/2015	<a href="#">54</a>	Motion for Leave to Proceed in forma pauperis on Appeal by Plaintiff Roy Mitchell. (jef),(ps) (Entered: 11/12/2015)
11/12/2015	 <a href="#">55</a>	Inmate Account Statement by Plaintiff Roy Mitchell. (jef),(ps) (Entered: 11/12/2015)
11/12/2015	<a href="#">56</a>	Submission from plaintiff dated 11/5/15 re <a href="#">51</a> Order. (Attachments: # <a href="#">1</a> Clinic visit summary, # <a href="#">2</a> Envelope) (jef),(ps) (Entered: 11/12/2015)
11/12/2015	<a href="#">57</a>	Letter requesting docket sheets Plaintiff Roy Mitchell. (Attachments: # <a href="#">1</a> Envelope) (jef),(ps) (Entered: 11/12/2015)
11/12/2015	<a href="#">58</a>	Appeal Information Packet. (jef),(ps) (Entered: 11/12/2015)
11/12/2015	<a href="#">59</a>	Transmission of Notice of Appeal, Docketing Statement, Docket Sheet and Judgment to Seventh Circuit Court of Appeals re <a href="#">53</a> Notice of Appeal. (Attachments: # <a href="#">1</a> Docketing Statement, # <a href="#">2</a> Order, # <a href="#">3</a> Judgment, # <a href="#">4</a> Docket sheet) (jef),(ps) (Entered: 11/12/2015)



11/13/2015		USCA Case Number 15-3541 for <a href="#">53</a> Notice of Appeal filed by Roy Mitchell. (jef),(ps) (Entered: 11/13/2015)
11/17/2015	<a href="#">60</a>	ORDER denying <a href="#">54</a> Motion for Leave to Appeal in forma pauperis. The court CERTIFIES that plaintiff Roy Mitchell's appeal is not taken in good faith for purposes of Fed. R. App. P. 24(a)(3) Signed by District Judge William M. Conley on 11/17/2015. (elc),(ps) (Entered: 11/17/2015)
11/18/2015	<a href="#">61</a>	NOTICE OF APPEAL by Plaintiff Roy Mitchell as to <a href="#">51</a> Order, <a href="#">52</a> Judgment. In forma pauperis requested. No Docketing Statement filed. (Attachments: # <a href="#">1</a> Envelope) (jef),(ps) (Entered: 11/18/2015)
11/18/2015	 <a href="#">62</a>	Motion for Leave to Proceed in forma pauperis on Appeal by Plaintiff Roy Mitchell. (jef),(ps) (Entered: 11/18/2015)
11/18/2015	<a href="#">63</a>	Appeal Information Packet. (jef),(ps) (Entered: 11/18/2015)