

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:15-cv-00712-wmc**

Morris, Michael v. Dickman, Tammy et al
Assigned to: District Judge William M. Conley
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 11/04/2015
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff**Michael Morris**

represented by **Michael Morris**
55441
Wisconsin Secure Program Facility
1101 Morrison Dr.
P.O. Box 9900
Boscobel, WI 53805
(608) 375-5656
PRO SE

V.

Defendant**Tammy Dickman**

represented by **Corey Francis Finkelmeyer**
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ATTORNEY TO BE NOTICED

Defendant

David C. Rice
TERMINATED: 01/09/2017

represented by **Corey Francis Finkelmeyer**
(See above for address)
LEAD ATTORNEY

Defendant**Diane Fremgen**

represented by **Corey Francis Finkelmeyer**
(See above for address)
LEAD ATTORNEY

David C. Rice
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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11/04/2015	<u>1</u>	COMPLAINT against All Defendants, filed by Michael Morris. (Case non-randomly assigned to District Judge William M. Conley.) (Attachments: # <u>1</u> Envelopes) (jef) (Additional attachment(s) added on 11/4/2015: # <u>2</u> Certification as to 3 or more dismissals) (jef). (Entered: 11/04/2015)
11/04/2015	<u>2</u>	Motion for Temporary Relief by Plaintiff Michael Morris. (jef),(ps) Modified on 11/4/2015 (jef). (Entered: 11/04/2015)
11/04/2015	<u>3</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff Michael Morris. (Attachments: # <u>1</u> Authorization to withhold money) (jef),(ps) (Entered: 11/04/2015)
11/04/2015	<u>4</u>	Prisoner Trust Fund Account Statement by Plaintiff Michael Morris. (jef),(ps) (Entered: 11/04/2015)
11/09/2015	<u>5</u>	ORDER on ifp request: Plaintiff to submit Trust fund account statement. Trust Fund Account Statement due 12/2/2015. Signed by Magistrate Judge Peter A. Oppeneer on 11/9/2015. (jef),(ps) (Entered: 11/09/2015)
11/16/2015	<u>6</u>	Letter from plaintiff Michael Morris requesting confirmation of receipt of complaint. Note: Sent plaintiff copy of docket sheet for confirmation. (nlm),(ps) (Entered: 11/17/2015)
11/18/2015	<u>7</u>	Prisoner Trust Fund Account Statement by Plaintiff Michael Morris. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Additional attachment(s) added on 11/18/2015: # <u>2</u> IPP Calculation) (nlm). (Entered: 11/18/2015)
11/20/2015	<u>8</u>	ORDER on ifp request: Initial partial filing fee of \$ 0.56 assessed. Initial partial filing fee due 12/9/2015. Signed by Magistrate Judge Peter A. Oppeneer on 11/20/2015. (jef),(ps) (Entered: 11/20/2015)
11/30/2015	<u>9</u>	Motion for an Extension of time to Pay the initial partial filing fee or to Waive the Initial Partial Filing Fee by Plaintiff Michael Morris. (Attachments: # <u>1</u> Weekly Canteen Statement 11/17/2015 – 11/19/2015, # <u>2</u> Interview/Information Request, # <u>3</u> Disbursement Request, # <u>4</u> Envelope) (elc),(ps) (Entered: 11/30/2015)
11/30/2015	<u>10</u>	AMENDED COMPLAINT, filed by Michael Morris. (Attachments: # <u>1</u> Cover Letters and Envelopes) (elc),(ps) Note: Received with a copy addressed to Diane Fremgen. Modified on 11/30/2015 (elc). (Entered: 11/30/2015)
12/02/2015	<u>11</u>	ORDER denying <u>9</u> motion to waive the initial partial payment and granting <u>9</u> motion for an extension of time to submit the initial partial filing fee. Initial partial filing fee due 1/8/2016. Signed by Magistrate Judge Peter A. Oppeneer on 12/2/2015. (jef),(ps) (Entered: 12/02/2015)
12/04/2015	<u>12</u>	Motion to Accept Late Payment by Plaintiff Michael Morris. Note: Motion crossed in the mail with <u>11</u> Order. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (nlm),(ps) (Entered: 12/04/2015)
12/04/2015	<u>13</u>	Motion to enter two motions into record by Plaintiff Michael Morris. (Attachments: # <u>1</u> Exhibits 1–7) (nlm),(ps) (Entered: 12/04/2015)
12/31/2015	<u>14</u>	Motion for Extension of Time by Plaintiff Michael Morris. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 12/31/2015)
01/13/2016	<u>15</u>	Motion for Order by Plaintiff Michael Morris. (Attachments: # <u>1</u> Disbursement request, statement excerpt, # <u>2</u> Correspondence, # <u>3</u> Envelope) (jef),(ps) (Entered: 01/13/2016)
01/15/2016		Partial Filing fee received: \$0.48, receipt number 34690025011. (nlm),(ps) (Entered: 01/15/2016)
01/15/2016	<u>16</u>	Warden PLRA Letter. (nlm),(ps) (Entered: 01/15/2016)

01/19/2016	<u>17</u>	ORDER denying as moot <u>12</u> Motion to Accept Late Payment; denying as moot <u>14</u> Motion for Extension of Time; denying as moot <u>15</u> Motion for Order. Plaintiff Michael Morris's \$0.48 payment is accepted as the initial partial payment of the \$350 filing fee for filing this case. Signed by Magistrate Judge Peter A. Oppeneer on 1/19/2016. (jef),(ps) (Entered: 01/19/2016)
02/25/2016	<u>18</u>	Letter from plaintiff Michael Morris requesting clarification on serving documents on the DOJ, and requesting docket sheets for case nos. 15-cv-564 and 15-cv-712. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 02/25/2016)
03/02/2016	<u>19</u>	Letter from Clerk's Office in response to <u>18</u> letter from plaintiff Michael Morris. (nlm),(ps) (Entered: 03/02/2016)
03/10/2016	<u>20</u>	Motion for Extension of Legal Loan/Notice of Objection by Plaintiff Michael Morris. (Attachments: # <u>1</u> Weekly Canteen Statement (2/20/16 - 2/26/16), # <u>2</u> 1/5/2016 Memorandum from Business Office re: 2016 Legal Loan, # <u>3</u> Interview/Information Requests, # <u>4</u> Disbursement Request, # <u>5</u> Envelope) (elc),(ps) (Entered: 03/10/2016)
03/14/2016	21	** TEXT ONLY ORDER ** Plaintiff has filed a "Motion for Extension of Legal Loan," in which he acknowledges being at the maximum amount of legal loans permitted by statute, but nonetheless seeks an additional loan so that he may litigate his cases. (Dkt. # <u>20</u> .) This motion is essentially identical to a motion filed in his other case pending before this court, <i>Morris v. WDOC</i> , Case No. 15-564-wmc (dkt. #14), which the court denied, as it had as a previous motion requesting a legal loan, because plaintiff cited no authority for his position, nor had plaintiff shown that he is actually being denied sufficient access to the court. <i>Morris</i> , Case. No. 15-564, dkt. #12. His motion in this case is DENIED for the same reasons. Signed by District Judge William M. Conley on 3/14/2016. (jef),(ps) (Entered: 03/14/2016)
03/21/2016	<u>22</u>	Motion for Reconsideration re (15 in 3:15-cv-00564-wmc) Text Only Order, (21 in 3:15-cv-00712-wmc) Text Only Order, by Plaintiff Michael Morris. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 03/21/2016)
03/23/2016	<u>23</u>	Supplement to (16 in 3:15-cv-00564-wmc, 22 in 3:15-cv-00712-wmc) Motion for Reconsideration filed by Michael Morris (Attachments: # <u>1</u> Interview/information request, # <u>2</u> Envelope) (jef),(ps) (Entered: 03/23/2016)
04/27/2016	<u>24</u>	Notice of Suspension of Legal Loan and Renewed Motion for an order for notary services by Plaintiff Michael Morris. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 04/27/2016)
04/27/2016	<u>25</u>	Letter Requesting verification of receipt of filings by Plaintiff Michael Morris. (elc),(ps) (Entered: 04/27/2016)
04/27/2016	<u>26</u>	Letter from the clerk's office in response to <u>25</u> plaintiff's Letter Requesting verification of receipt of filings. (elc),(ps) (Entered: 04/27/2016)
05/04/2016	<u>27</u>	Letter from plaintiff Michael Morris providing clarification that submission docketed as Amended Complaint (at dkt. # <u>10</u>) was not intended to be an amended complaint and that plaintiff will be filing an amended complaint shortly. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 05/04/2016)
05/10/2016	28	** TEXT ONLY ORDER ** Morris seeks reconsideration of this court's order denying his request that the court order the Wisconsin Secure Program Facility ("WSPF") to grant him a \$100 legal loan. (Dkt. # <u>22</u> .) In his motion, Morris cites several cases for the proposition that prison officials may not prevent a prisoner from litigating his claims, including a decision from this district holding that a prisoner's right to access to the court was violated when the prison denied him the proper materials or postage to submit evidence in response to a motion for summary judgment. <i>Ripp v. Nickel</i> , No. 10-cv-492-bbc, dkt. #48 (W.D. Wis. Mar. 14, 2012). Here, however, Morris has yet to show that he is being denied access to the courts. Although Morris claims that he has a multitude of

		exhibits that are relevant to his claim, he has already filed a complaint and amended complaint, which are currently under advisement for screening. Thus, he is not currently facing any impediment to litigating this matter. Furthermore, Morris recently filed a 52–page amended complaint in his other lawsuit pending before this court, which indicates that WSPF staff are not impeding his ability to file necessary documents in his cases. See Morris v. WDOC, No. 15–cv–564–wmc, dkt. #17 (W.D. Wis. Mar. 21, 2016). Since Morris has not been denied access to the court during the course of this lawsuit due to a lack of funds, his motion for reconsideration is DENIED. Signed by District Judge William M. Conley on 5/10/2016. (elc),(ps) (Entered: 05/10/2016)
06/08/2016	<u>29</u>	Motion to dismiss <u>10</u> Amended Complaint and for Leave to File a Second Amended Complaint by Plaintiff Michael Morris. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 06/08/2016)
08/01/2016	<u>30</u>	Request for Status Update, by Plaintiff Michael Morris. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (nlm),(ps) (Entered: 08/01/2016)
08/03/2016	<u>31</u>	Letter from Clerk's Office in response to <u>30</u> request for status update from plaintiff. (nlm),(ps) (Entered: 08/03/2016)
10/06/2016	<u>32</u>	SECOND AMENDED COMPLAINT (unsigned) filed by Michael Morris. Note: Pagination of document skips from page 6 to page 8; however there appear to be no missing pages. (See dkt. <u>34</u> for signed copy.) (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope 1 of 4, # <u>3</u> Envelope 2 of 4) (nlm),(ps) (Entered: 10/06/2016)
10/07/2016	<u>33</u>	Letter from Clerk's Office returning <u>32</u> second amended complaint to plaintiff for his signature. (nlm),(ps) (Entered: 10/07/2016)
10/21/2016	<u>34</u>	Signed copy of <u>32</u> SECOND AMENDED COMPLAINT / Corrected SECOND AMENDED COMPLAINT, filed by Michael Morris. Note: Signed copy contains a page 7. (Attachments: # <u>1</u> Cover Letter / Partial Appendix, # <u>2</u> Ex. 1 – Notice that writ of Mandamus was received 11/18/13, # <u>3</u> Ex. 2 – disbursement request, # <u>4</u> Ex. 10 – disbursement request, # <u>5</u> Ex. 15– disbursement request, # <u>6</u> Ex. 18 B1 – disbursement request, # <u>7</u> Cover Letter and Envelope) (nlm),(ps) (Entered: 10/21/2016)
01/09/2017	<u>35</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendants Diane Fremgen, Tammy Dickman. Leave to proceed denied and case dismissed against David C. Rice. Materials delivered to DOJ for acceptance of service. Plaintiff's Motion for Temporary Relief (dkt. # <u>2</u>) is DENIED. Signed by District Judge William M. Conley on 1/9/2017. (jef),(ps) (Entered: 01/09/2017)
01/27/2017	<u>36</u>	Letter to Judge Conley and Mr. Oppeneer from plaintiff regarding submissions. (Attachments: # <u>1</u> Disbursement request, 1/23/17, # <u>2</u> List of documents, # <u>3</u> Prepaid envelope, # <u>4</u> Pages 2–93 of submission, # <u>5</u> Certificate of service (pg. 94), # <u>6</u> Envelope) (jef). (Entered: 01/27/2017)
01/27/2017	<u>37</u>	Motion for Sanctions by Plaintiff Michael Morris. (Attachments: # <u>1</u> List of documents (same as dkt. <u>36</u> #2)) (jef),(ps) (pg. 2 of pgs. 1–94 submission) (Entered: 01/30/2017)
01/27/2017	<u>38</u>	Notice of Objection by Plaintiff Michael Morris. (Attachments: # <u>1</u> pgs. 4–42 of submission – letters, pleadings, other documents. (jef) (ps). (Entered: 01/30/2017)

01/27/2017	<u>39</u>	Notice of Objection (of court ruling eliminating David Rice from this lawsuit) by Plaintiff Michael Morris. (jef),(ps) Note, there is no page 2 and nothing written on the backside of this document) (jef) (Entered: 01/30/2017)
01/27/2017	<u>40</u>	Motion to Correct the Record re: <u>35</u> Order by Plaintiff Michael Morris. (jef),(ps) (Entered: 01/30/2017)
01/27/2017	<u>41</u>	Motion for Order (regarding legal loan) by Plaintiffs Michael Morris, Michael Morris. (Attachments: # <u>1</u> pgs 47-66 of submission - interview/information requests, disbursement requests, memos, other documents) (jef),(ps) (Entered: 01/30/2017)
01/27/2017	<u>42</u>	Notice of filing on 15-cv-564-wmc; Partial Appendix for 15-cv-712-wmc by Plaintiff Michael Morris. (jef),(ps) (Entered: 01/30/2017)
01/27/2017	<u>43</u>	Partial Appendix for 15-cv-712 by Plaintiff Michael Morris. (Attachments: # <u>1</u> pgs. 69-93 of exhibits) (jef),(ps) (Entered: 01/30/2017)
02/01/2017	<u>44</u>	Motion for Dismissal and ! (and to file an Amended Complaint) by Plaintiff Michael Morris. (Attachments: # <u>1</u> Interview/information request, # <u>2</u> 4 Pages numbered 2, 3, 2, 3, # <u>3</u> Envelope) (jef),(ps) Note, there was no prepaid envelope enclosed. (jef). (Entered: 02/01/2017)
02/01/2017	<u>45</u>	Letter from Clerk's Office in response to plaintiff's requests for confirmation of filings and providing plaintiff with docket sheets. (jef),(ps) (Entered: 02/01/2017)
02/02/2017	<u>46</u>	MOTION TO DISMISS by Defendants Tammy Dickman, Diane Fremgen, (Attachments: # <u>1</u> Certificate of Service) (Rice, David),(ps) (Entered: 02/02/2017)
02/02/2017	<u>47</u>	Brief in Support of <u>46</u> Motion to Dismiss by Defendants Tammy Dickman, Diane Fremgen, (Attachments: # <u>1</u> Exhibit 1 - Court's Decision, # <u>2</u> Exhibit 2 - Clerk Diane Fremgen's Letter) (Rice, David),(ps) (Entered: 02/02/2017)
02/02/2017		Set Briefing Deadlines as to <u>46</u> MOTION TO DISMISS . Plaintiff's Brief in Opposition due 2/23/2017. Defendants' Brief in Reply due 3/6/2017. (nlm),(ps) (Entered: 02/02/2017)
02/09/2017	<u>48</u>	Notice of Objection, Motion to Stay by Plaintiff Michael Morris. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) (Entered: 02/09/2017)
02/23/2017	<u>49</u>	Brief in Opposition by Plaintiff Michael Morris re: <u>46</u> Motion to Dismiss filed by Tammy Dickman, Diane Fremgen. (Attachments: # <u>1</u> Ex. 1 - Letter from Judge William Foust dated 7/22/14, # <u>2</u> Ex. 2 - Letter from Gail Richardson dated 7/24/14, WI Court of Appeals orders dated 1/15/04 and 7/27/00, # <u>3</u> Envelope) (nlm),(ps) (Entered: 02/23/2017)
02/23/2017	<u>50</u>	Motion for Stay to Seek Interlocutory Appeal, by Plaintiff Michael Morris. (nlm),(ps) (Entered: 02/23/2017)
02/23/2017	<u>54</u>	NOTICE OF APPEAL - INTERLOCUTORY by Plaintiff Michael Morris as to <u>35</u> Order on ifp request - Order on Leave to Proceed. In forma pauperis pending. No Docketing Statement filed. (Attachments: # <u>1</u> Envelope, # <u>2</u> Email cover letter from Court of Appeals) (jef),(ps) Note, this was received by the Seventh Circuit on 3/3/2017. (jef) (Entered: 03/03/2017)
02/27/2017	<u>51</u>	Combined Brief in Reply by Defendants Tammy Dickman, Diane Fremgen in Support of <u>46</u> Motion to Dismiss and Brief in Opposition re: <u>50</u> Motion for Stay to Seek Interlocutory Appeal, (Attachments: # <u>1</u> Certificate of Service) (Rice, David),(ps) Modified on 2/28/2017: Multi-part document. (lak) (Entered: 02/27/2017)

03/01/2017	<u>52</u>	Letter Requesting verification of receipt of filings by Plaintiff Michael Morris. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 03/01/2017)
03/01/2017	<u>53</u>	Letter from clerk's office in response to <u>52</u> Letter Requesting verification of receipt of filings by Plaintiff Michael Morris. (elc),(ps) (Entered: 03/01/2017)
03/03/2017	<u>55</u>	Appeal Information Packet. (jef),(ps) (Entered: 03/03/2017)