

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROOSEVELT WILLIAMS,

Plaintiff,

v.

ORDER

KIM CARL, LUCAS WOGERNESE,
and TIM ZIEGLER,

16-cv-584-jdp

Defendants.

Plaintiff Roosevelt Williams, a prisoner incarcerated at the Columbia Correctional Institution, brings this lawsuit alleging that prison officials failed to provide him with medical treatment for his gout, forced him to use a top bunk even though it caused him pain, and retaliated against him for complaining about these and other issues at the prison.

I previously granted Williams leave to proceed on Eighth Amendment deliberate indifference and First Amendment retaliation claims against defendants, but I stayed a decision on his state law negligence claims and intentional and negligent infliction of emotional distress claims because he did not explain whether he had complied with Wisconsin's notice-of-claim statute, Wis. Stat. § 893.82, by notifying the attorney general about his state law claims before bringing this lawsuit. *See* Dkt. 11. Williams has responded to that order, stating that he wishes to supplement his complaint with a statement that he has in fact complied with the notice-of-claim statute. He states that this proposed supplement is included with his motion, but the documents received by the court have no such supplement attached. Similarly, Williams has filed a motion for preliminary injunctive relief about the lack of adequate medical care, and in

his motion he cites a declaration that is not included with any of the documents he has submitted to this court.

I cannot consider the notice-of-claim issue without Williams's supplement and, as I stated in the previous order, I will not consider his motion for preliminary injunctive relief without him following this court's procedures for briefing motions for injunctive relief. *See* Dkt. 11, at 7-8. I will give Williams a short time to submit his supplement to the complaint, and his declaration and proposed findings of fact in support of his motion for preliminary injunctive relief.

When Williams submits these documents, he should limit them to discussing prison officials' actions related to his claims in this case against defendants Carl, Wogernese, and Ziegler. Williams has submitted several documents discussing a "campaign of harassment" by various prison officials and a "motion for sanctions" regarding prison officials' behavior. Dkt. 19, 22-24. For instance, he states that in March 2017, Correctional Officer Mitchell rammed him with a medication cart. But Mitchell is not a defendant in this case and Williams is not bringing claims about Mitchell's or other non-defendants' actions. I will deny his motion for sanctions and disregard his filings about a campaign of harassment. When Williams submits his declaration and proposed findings of fact in support of his motion for preliminary injunctive relief, he should explain what defendants have done or continue to do to retaliate against him and block adequate medical treatment.

Finally, Williams has submitted a document titled "Memorandum of Law in Support of Plaintiff's Motion for the Appointment of Counsel." Dkt. 17. But this document does not address the reasons I denied his original motion: he has not provided the names of three attorneys who turned down his requests for assistance, and it is too early to tell whether the

complexity of the case will outstrip his abilities, particularly given his previous litigation experience and generally well-written submissions. Dkt. 11, at 6-7. I will deny his renewed motion for these same reasons, and because he should not need counsel to perform the tasks set out for him in this order.

ORDER

IT IS ORDERED that:

1. Plaintiff Roosevelt Williams may have until May 26, 2017, to submit (a) his proposed supplement to the complaint concerning the notice-of-claim statute; and (b) his declaration and proposed findings of fact in support of his motion for preliminary injunctive relief.
2. Plaintiff's motion for sanctions, Dkt. 24, is DENIED.
3. Plaintiff's renewed motion for recruitment of counsel, Dkt. 17, is DENIED.

Entered May 8, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge