

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

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CARL C. GILBERT, II and JERRED  
WASHINGTON,

Plaintiffs,

v.

STATE OF WISCONSIN DEPARTMENT OF  
HEALTH SERVICES,  
SAND RIDGE SECURE TREATMENT CENTER,  
ERIC KNAUTSON, DEBORAH MCCULLOUGH,  
DOUG BELILLE, JASON SMITH, PAULA GILE,  
ANGIE WESTER, GARY FOX, KIETH RAMSEY,  
LORI FOX, DANIEL KATTENBRAKER,  
KEITH NESS, LINDA HARRIS, ROBERT  
KEEPKINS, VALERIE LITTY, KIM THOMSURE,  
MARCUS HUBBARD, SCOTT WALKER, and  
JOHN AND JANE DOES 1-80,

OPINION & ORDER

16-cv-729-jdp

Defendants.

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Plaintiffs Carl C. Gilbert II and Jerred Washington, both patients civilly committed at the Sand Ridge Secure Treatment Center under Wisconsin's sexually violent persons law, Wis. Stat. ch. 980, brought this action alleging that that Sand Ridge staff members violated their constitutional rights in several ways.

In a May 8, 2017 order, I discussed two problems with the case. First, plaintiff Washington neither submitted a motion for leave to proceed *in forma pauperis* nor responded to the court's order asking him to do so. I gave Washington a short time to submit a trust fund account statement or explain why he is unable to do so.

Second, the complaint suffered from the same problems as plaintiff Gilbert's other recent lawsuits in this court. Most notably, plaintiffs "jam[med] into the same lawsuit

seemingly unrelated claims against far too many defendants,” Dkt. 9, at 2, naming as defendants 17 identified officials and between 80 and 200 unidentified “John Doe” defendants. I identified four separate lawsuits contained within the complaint and gave plaintiffs a chance to explain which lawsuit they wished to pursue under this case number, and whether they wished to pursue any of the remaining lawsuits under new case numbers.

Washington has responded to the order, stating that he does not want to be a part of this litigation and has not wanted to be a part of it since at least before the court first asked him to provide financial information. I will dismiss Washington from the lawsuit, and he will not owe the court any portion of the filing fee for this lawsuit.

In the May 8 order, I told plaintiffs that they would have to respond *jointly* to explain which of the four proposed lawsuits they wished to litigate under this case number. Now that Washington has been dismissed from the lawsuit, I will give Gilbert a final chance to respond to that order, or the case will be dismissed for his failure to prosecute it.

## ORDER

IT IS ORDERED that:

1. Plaintiff Jerred Washington is DISMISSED from the case. The court’s financial records should be amended to reflect that Washington does not owe the court any portion of the filing fee for this lawsuit.
2. Plaintiff Carl C. Gilbert II may have until June 27, 2017, to respond to this court’s May 8, 2017 order.

Entered June 13, 2017.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge