

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

ANTHONY P. HEARD, JR.,

Plaintiff,

v.

HSUM ADAMS and HUSAM KINYON,

Defendants.

ORDER

22-cv-265-jdp

Plaintiff Anthony P. Heard, Jr., proceeding without counsel, is a prisoner currently incarcerated at Wisconsin Resource Center. He alleges that medical staff at Wisconsin Secure Program Facility delayed in treating his severe knee and back pain and cancer symptoms. He brings claims under the Eighth Amendment and Wisconsin medical negligence law. Defendants move for summary judgment. Dkt. 33. Heard has not responded to that motion, instead filing two motions for the court’s assistance in recruiting him counsel. Dkt. 30 and Dkt. 45. Heard states that he cannot litigate the case himself because he is incapacitated by his cancer treatment and by medication that he takes for post-traumatic stress disorder and migraine headaches.

I’m persuaded that Heard’s current abilities to litigate this case are far below those of the typical prisoner, and that his claims likely will boil down to issues of medical judgment that are too complex for him to handle alone. I will grant Heard’s motions and the case will be stayed pending recruitment of counsel. Defendants’ motion for summary judgment will be denied without prejudice, subject to them renewing it after the court recruits counsel for Heard.

If I find counsel willing to represent Heard, I will advise the parties of that fact. Soon thereafter, a status conference will be held to set a new schedule. Heard is advised that the

court receives many requests for counsel, so the search for counsel may take several months, and there is no guarantee that the court will find counsel willing to represent him.

ORDER

IT IS ORDERED that:

1. Plaintiff's motions for recruitment of counsel, Dkt. 30 and Dkt. 45, are GRANTED.
2. The parties' remaining motions are DENIED without prejudice.
3. The case is STAYED pending recruitment of counsel for plaintiff.

Entered June 4, 2024.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge