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

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RANDIN DIVELBISS,

Plaintiff,

v.

SERGEANT THOM,

Defendant.

OPINION and ORDER

23-cv-259-jdp

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RANDIN DIVELBISS,

Plaintiff,

v.

MADISON PUBLIC LIBRARY STAFF and DIRECTOR GREG MICKELLS,

Defendants.

OPINION and ORDER

23-cv-330-jdp

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RANDIN DIVELBISS,

Plaintiff,

v.

CHIEF SAM WOLLIN, OFFICER SMITH, and ADAMS POLICE DEPARTMENT,

Defendants.

OPINION and ORDER

24-cv-230-jdp

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This opinion concerns three cases filed by plaintiff Randin Divelbiss. I dismissed Case Nos. 23-cv-259-jdp and 23-cv-330-jdp for Divelbiss's failure to respond to court orders or motions filed by defendants. Dkt. 41 in the '259 case. I stayed and closed Case No. 24-cv-230-jdp under *Younger v. Harris*, 401 U.S. 37 (1971), because Divelbiss's claims were intertwined with his ongoing state-court criminal case. Dkt. 4 in the '230 case.

Divelbiss seeks to reopen all three cases, but he doesn't give a persuasive reason for doing so. He states that "getting mail for these cases has been difficult," Dkt. 44 in the '259 case. In previous orders I have documented the difficulty that the court and defendants have had in communicating with Divelbiss because of his frequent change of addresses. But it is Divelbiss's duty to update the court and defendants in all of his cases when he changes mailing addresses, and he repeatedly failed to do so or otherwise litigate his cases. And he does not explain why he waited three months after dismissal of the '259 and '330 cases to seek reopening. I will deny his motions to reopen those cases.

I will deny Divelbiss's motion to reopen the '230 case because his state-court criminal case, *State v. Divelbiss*, Adams County Case No. 2021CM168, has not yet been resolved. He may move to reopen the '230 case after the conclusion of the state criminal proceedings, including all appeals and any relevant state collateral review proceedings. *See Simpson v. Rowan*, 73 F.3d 134, 139 (7th Cir. 1995).

ORDER

IT IS ORDERED that:

1. Plaintiff's motions to reopen these cases, Dkt. 44 and Dkt. 45 in Case No. 23-cv-259-jdp; Dkt. 17 and Dkt. 18 in 23-cv-330-jdp; and Dkt. 12 in Case No. 24-cv-230-jdp, are DENIED.

2. All other pending motions in these cases are DENIED as moot.

Entered November 21, 2024.

BY THE COURT:

/s/

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JAMES D. PETERSON
District Judge