

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

DENNIS E. JONES 'EL, MICHA'EL
JOHNSON, DE'ONDRE CONQUEST,
LUIS NIEVES, SCOTT SEAL, ALEX
FIGUEROA, ROBERT SALLIE, CHAD
GOETSCH, EDWARD PISCITELLO,
QUINTIN L'MINGGIO, LORENZO
BALLI, DONALD BROWN, CHRISTOPHER
SCARVER, BENJAMIN BIESE, LASHAWN
LOGAN, JASON PAGLIARINI, and
ANDREW COLLETTE, and
all others similarly situated,

Plaintiffs,

v.

GERALD BERGE and
JON LITSCHER,

Defendants.

MEMORANDUM

00-C-421-C

Rodosvoldo C. Pozo, a member of the class of plaintiffs in this case, has filed a document which I construe to be a request that this court supply him with any documents it has to show that he attempted to file a timely notice of appeal from the March 8, 2002 settlement agreement but that the appeal was rejected by this court.

With the exception of informal communications between the parties and numerous miscellaneous communications from prisoners at the Wisconsin Secure Program Facility about this case, the official record of this case has been sent to the Court of Appeals for the Seventh Circuit. Nevertheless, I have reviewed the docket sheet and find no docket entry suggesting that Rodosvoldo Pozo filed a notice of appeal in this case following the March 8, 2002 settlement. Moreover, I have conducted a thorough search of all correspondence sent to this court during the year of 2002 and have located only one document from Rodosvoldo Pozo. The document is titled "Motion for Remedial Fine and Legal Sanction Per F.R.C.P. Rules 11 to and for Contempt to Court Per F.R.C.P. Rule 56(d)." The document was neither construed as a notice of appeal or treated as a rejected appeal. A copy of the document is enclosed to Mr. Pozo with a copy of this memorandum.

Because there is no evidence in this court's file suggesting that Rodosvoldo Pozo filed a timely notice of appeal from the settlement agreement in this court, his request that this

court supply him with documents to prove that he filed a timely notice of appeal is DENIED.

Entered this 29th day of March, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge