

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

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NATHANIEL ALLEN LINDELL,

Plaintiff,

v.

STEVEN CASPERSON, MATTHEW FRANK,  
JON E. LITSCHER, LAURA WOOD,  
GERALD BERGE, PETER HUIBREGTSE,  
GARY BOUGHTON, VICKI SEBASTIAN,  
CPT. TIMOTHY HAINES, LINDA HODDY,  
CINDY O'DONNELL, LT. GARDINER,  
JULIE BIGGAR, SGT. HANKE, TODD OVERBO,  
SANDRA GRONDIN, JoANNE GOUIERE (JANE DOE),  
MIKE VANDERLOH, RON KOPLITZ, ELLEN RAY,  
GARY McCAUGHTRY, MARC CLEMENTS,  
DEBRA TETZLAFF, CPT. STEVE SCHUELER,  
C.O. WATSON, CHAPLAIN FRANCIS,  
BYRON BARTOW, KATHLEEN BELLAIRE,  
and STEVE SPANBAUER,

Defendants.  
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ORDER

02-C-473-C

Plaintiff has filed a "Notice and Motion for Modification of Magistrate Judge's September 20, '04 Order." In his motion, plaintiff asks that the court extend to December 21, 2004, the date in which dispositive motions are due in this case, give him 60

days to respond to defendants' dispositive motion, lift all discovery limitations or, alternatively, allow plaintiff to seek at least 100 document/item requests, 300 requests for admissions and 150 interrogatories, and "require defendants to provide all materials they may use in their defense and make this a rule."

As plaintiff already is aware from filing similar motions in other cases, see, e.g., Lindell v. McCaughtry, 01-C-209-C, slip op. July 18, 2003 (W.D. Wis.); Lindell v. Daley, 02-C-459-C, slip op. July 14, 2003 (W.D. Wis.), the standard for reviewing a pretrial order of a magistrate judge is whether it is "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a). Nothing in plaintiff's objections to the magistrate judge's September 20 order convinces me that it was clearly erroneous or contrary to law for the magistrate judge to refuse to enlarge the schedule he set for filing and briefing dispositive motions or limit as he did the volume of discovery plaintiff may undertake.

Accordingly, IT IS ORDERED that the decision entered by the United States Magistrate Judge on September 20, 2004, remains as entered because plaintiff has failed to

show that the decision is clearly erroneous or contrary to law.

Entered this 18th day of October, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge