

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

JAMES J. KAUFMAN,

Plaintiff,

v.

GARY R. McCAUGHTRY, SGT. McCARTHY,
JAMES MUENCHOW, RENEE RONZANI,
SANDY HAUTAMAKI, JOHN RAY,
CYNTHIA L. O'DONNELL and JAMYI WITCH,

Defendants.

ORDER

03-C-27-C

Plaintiff has moved for reconsideration of this court's order of April 24, 2003, denying his motion for a preliminary injunction and dismissing his claim that six publications were withheld from him after having been allegedly improperly characterized as containing material prohibited under DOC § 309 and IMP 50. In addition, he has moved for leave to file a supplemental complaint describing additional incidents of alleged improper characterization of reading material as containing pornography. Both motions will be denied.

If plaintiff disagrees with my conclusion that he is not entitled to an injunction

requiring defendants to open in his presence all incoming first class mail addressed to him “by mechanical means,” and to put into place special procedures for screening publications addressed to him, he is free to challenge the rulings on appeal after the remaining issues in this case have been resolved and a judgment has been entered. Moreover, nothing in plaintiff’s motion for reconsideration persuades me that I erred in deciding that he cannot proceed in the context of this lawsuit on his claim that defendants are failing to identify pornographic material properly under the terms of the Aiello settlement agreement and DOC § 309 and IMP 50. Because this claim has been dismissed and will remain dismissed, I will deny plaintiff’s motion to supplement his complaint to add more examples of defendants’ alleged failure to identify pornographic material properly.

ORDER

IT IS ORDERED that plaintiff James J. Kaufman’s motions for reconsideration of the April 24, 2003, order and for leave to supplement his complaint are DENIED.

Entered this 19th day of May, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge