

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

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MACK D. HILL,

Plaintiff,

v.

JON E. LITSCHER; CINDY O'DONNELL;  
GERALD A. BERGE; MICHAEL CATALANO;  
PRISON HEALTH SERVICES, INC.;  
PAM BARTELS; SHARON ZUNKER;  
RENAE WALTZ; and G. BROUGHTON,

Defendants.  
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ORDER

04-C-162-C

In an order dated April 8, 2004, I allowed plaintiff Mack D. Hill leave to proceed on his claim that defendants Litscher and Berge violated his Eighth Amendment right to be free from cruel and unusual punishment by exposing him to 24-hour harsh illumination in his cell. I stayed a decision whether plaintiff could proceed on his claims that "corrections officers" kicked his cell door, causing him sleep deprivation, and that "defendants" were deliberately indifferent to his serious medical needs, so that plaintiff could identify which of the defendants he named in the caption of his amended complaint engaged in the alleged unconstitutional conduct. Plaintiff Hill has not responded to the April 8 order.

Accordingly, IT IS ORDERED that plaintiff may not proceed on his claims of sleep deprivation and denial of medical care, because he has failed to identify which, if any, of the defendants he named in the caption of his amended pleading personally participated in the acts about which he complains. Moreover, because plaintiff has not alleged any acts of wrongdoing on the part of defendants Cindy O'Donnell, Michael Catalano, Prison Health Services, Inc., Pam Bartels, Sharon Zunker, Renae Waltz, and G. Broughton, these defendants will be dismissed from this case.

#### ORDER

IT IS ORDERED that

1. Plaintiff's claim that one or more of the defendants caused him to suffer the effects of sleep deprivation by repeatedly kicking his cell door is DISMISSED for plaintiff's failure to identify the person or persons who kicked his cell door.
2. Plaintiff's claim of denial of medical care is DISMISSED for plaintiff's failure to identify who knew about his serious medical need and deliberately refused to allow him treatment for it.
3. Defendants Cindy O'Donnell, Michael Catalano, Prison Health Services, Inc., Pam Bartels, Sharon Zunker, Renae Waltz, and G. Broughton are DISMISSED from this case for plaintiff's failure to state a claim against them.

4. The clerk of court is requested to arrange promptly for plaintiff's amended complaint to be served on defendants Jon E. Litscher and Gerald Berge so that they may respond to plaintiff's claim that these defendants caused him to suffer the effects of sleep deprivation by subjecting him to prolonged exposure to intense lighting.

Entered this 3rd day of May, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge