

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

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LUIS A. RAMIREZ,

Petitioner,

ORDER

v.

04-C-335-C

GARY R. McCAUGHTRY,  
MATTHEW FRANK,  
CURT JANSSEN,  
CAPT. STEVEN SCHUELER, and  
MARC CLEMENTS and  
STEVEN CASPERSON,

Respondents.  
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Petitioner Luis A. Ramirez submitted a proposed complaint on June 11, 2004 and requested leave to proceed in forma pauperis. After concluding that petitioner had no means with which to make an initial partial payment of the \$150 fee for filing his complaint, I took under advisement his complaint for screening pursuant to 28 U.S.C. § 1915(e)(2). On June 15, 2004, petitioner submitted a document titled "Amended Complaint," in which he asked to add Steven Casperson as a defendant. Neither the amended complaint nor the original complaint contained any allegations of constitutional wrongdoing against defendant

Casperson. On July 2, 2004, petitioner filed a second amended complaint. He asked to be allowed to “supplement” his original complaint with additional information contained in the second amended complaint and to substitute a new request for relief for the relief requested in the first amended complaint. He also suggested that he may be amending the complaint yet again.

In an order dated July 7, 2004, I told petitioner that it is an inefficient use of the court’s time to attempt to screen his complaint if he is continually changing it. I told him that his final amended complaint must be a single document that would completely replace the original complaint. Finally, I told him that he could have until July 20, 2004, in which to substitute a different complaint for the one he filed on June 11, 2004, and that if he did not submit a final revision of his complaint by then, I would assume he had abandoned the idea of changing the original complaint and I would proceed to screen the complaint he submitted on June 11, 2004.

On July 15, 2004, petitioner submitted a third amended complaint. Pursuant to the July 7 order, this complaint is now the operative pleading in the case and is under advisement for screening. Nevertheless, on July 20, 2004, petitioner submitted a letter that he signed but that was written by an inmate Larry Brown, who appears now to be helping petitioner. In the letter, petitioner asks that the court disregard his third amended complaint and allow him an enlargement of time to July 30, 2004, in which to file a fourth amended

complaint. According to petitioner, Brown is now helping him draft his fourth amended complaint.

Although I will grant petitioner's request on this one last occasion, I will not approve any more extensions to amend the complaint or allow any further amendments to be filed.

#### ORDER

IT IS ORDERED that petitioner may have until July 30, 2004, in which to submit a complaint that will be the operative pleading in this case. If, by July 30, 2004, petitioner fails to submit his final full revision of the complaint, I will consider the amended complaint he filed on July 15, 2004, as the operative pleading and screen it promptly pursuant to 28 U.S.C. § 1915(e)(2).

Entered this 26th day of July, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge