

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

LARRY GEORGE,

Plaintiff,

v.

JUDY SMITH, RUTH TRITT,
MARTY SCHROEDER, OFFICER VILSKI,
TIM PIERCE and NURSE CARIVOU,

Defendants.

ORDER

05-C-403-C

Pursuant to the United States Magistrate Judge's March 2, 2006 preliminary pretrial conference order, plaintiff Larry George has until April 3, 2006, in which to file an amended complaint naming all the defendants whose names he did not know when he filed his original complaint. Plaintiff was instructed not to make any other changes to his complaint without first asking for and receiving permission from the court. Now before the court is a motion from plaintiff asking for permission to enhance his "bare bones" allegations and "add additional claims." According to plaintiff, allowing him to amend his complaint will save judicial resources and avoid his having to file a new lawsuit, which in his view may be seen by the defendants as harassment. Curiously, plaintiff suggests that even if he adds new

claims to his lawsuit, the changes in the lawsuit will not affect the schedule set by the magistrate judge for bringing this case to resolution.

I will deny plaintiff's motion to amend his complaint to enhance the allegations pertaining to the claims on which he already has been granted leave to proceed and to add new claims against the defendants who will be named in his amended complaint. First, it is not necessary or even desirable that plaintiff add facts to his complaint relating to the claims on which he already has been allowed to proceed. His allegations were sufficient to state a claim at the pleading stage. As for plaintiff's suggestion that no delay will be incurred if he adds new claims to his lawsuit, he is mistaken. If plaintiff's complaint is changed in any way other than to designate the names of the formerly unknown defendants, his amended complaint will have to be screened pursuant to 28 U.S.C. § 1915A as though it were a new complaint. It is not likely that the screening of plaintiff's amended complaint could be accomplished quickly enough to keep the current schedule intact. If plaintiff wishes to sue the defendants in this lawsuit for actions unrelated to the claims on which he has been allowed to proceed in this lawsuit, he will have to file a new lawsuit.

ORDER

IT IS ORDERED that plaintiff Larry George's motion to amend his complaint to add new claims and enhance the allegations pertaining to the claims on which he already has

been allowed to proceed is DENIED.

Entered this 31st day of March, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge