

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

JAMES J. KAUFMAN,

Plaintiff,

ORDER

v.

07-C-45-C

RICHARD SCHNEITER (WSPF Warden);
PETER HUIBREGTSE (WSPF Deputy Warden);
RANDALL HEPP (JCI Warden); CARI TAYLOR
(JCI Deputy Warden); CYNTHIA THORPE,
MARY MILLER and MS. T. GERBER (WSPF
Business Office),

Defendant.

In an order dated February 15, 2007, I screened the complaint of plaintiff James Kaufman, as required under 28 U.S.C. § 1915A, and granted him leave to proceed on claims that

(1) defendant [Randall] Hepp retaliated against him in violation of the First Amendment; (2) defendants [Richard] Schneider, [Richard] Raemsich and [Peter] Huibregtse violated his First Amendment rights by upholding a prison policy under which he is denied all publications; (3) defendants [Cari] Taylor and Raemisch violated his rights under the First Amendment by not delivering his September 5, 2006 letter; (4) defendants Schneider, Raemisch and Huibregtse violated his right to practice his atheist beliefs by preventing him from ordering publications about atheism in violation of the free exercise

clause and RLUIPA; and (5) defendants Schneider and Raemisch violated his rights under the Eighth Amendment by forcing him to choose between out-of-cell exercise and time spent in the prison law library.

Dkt. #4, at 2. It has come to my attention that although plaintiff alleged facts linking Raemisch to alleged violations of his constitutional rights, plaintiff did not name Raemisch in the caption of the lawsuit or in the portions of his complaint or supplemental complaint that identified each defendant. Because Raemisch was not a defendant, it was error to grant plaintiff leave to proceed against him. Therefore, IT IS ORDERED that defendant Richard Raemisch is DISMISSED from this lawsuit.

Entered this 12th day of March, 2007.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge