

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

RALPHFIELD HUDSON,

Plaintiff,

v.

T. SPENCE, Chief Pharmacist and
J. PENAFLO, Physician Assistant,

Defendants.

ORDER

07-C-355-C

In an order entered in this case on November 16, 2007, I told plaintiff that the two claims on which he was proceeding could no longer be considered in the same lawsuit because of the court of appeals' recent decision in George v. Smith, No. 07-1325, 2007 WL 3307028 (7th Cir. Nov. 9, 2007), clarifying the application of the 1996 Prison Litigation Reform Act. I told plaintiff he would need to advise the court by November 30, 2007 whether he intended to prosecute both of his claims or withdraw one of the claims voluntarily. Plaintiff has not yet responded to the November 16 order. However, he has filed a document titled "motion to compel the answers to the plaintiff's first set of interrogatories." In support of his motion, plaintiff has filed a brief and

declaration to which are attached interrogatories directed to defendants Hobart, Reed, Jones, Spence, McKinnon and Penaflor. I will deny plaintiff's current motion as to defendants Hobart, Reed, Jones and McKinnon because I dismissed these defendants in an order dated August 27, 2007. I will stay plaintiff's current motion as to defendants Spence and Penaflor until plaintiff responds to the November 16 order.

ORDER

IT IS ORDERED that plaintiff's "motion to compel the answers to the plaintiff's first set of interrogatories" is DENIED as to defendants Hobart, Reed, Jones and McKinnon and STAYED as to defendants Spence and Penaflor until plaintiff responds to the November 16 order.

Entered this 28th day of November, 2007.

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