

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

NICK WILLIAM SCHALLER,

Plaintiff,

v.

DR. HEINZL,

Defendant.

ORDER

08-cv-403-bbc

On September 5, 2008, Judge Barbara Crabb granted plaintiff Nick William Schaller leave to proceed *in forma pauperis* on his claim that defendant Heinzl was deliberately indifferent to his serious medical need when he delayed treatment to plaintiff's leg and ankle.

Now plaintiff has filed a motion for summary judgment. This motion must be denied at the outset for plaintiff's failure to comply with this court's summary judgment procedures, a copy of which was sent to him with the Magistrate Judge's preliminary pretrial conference order entered on November 7, 2008. As I explained in my December 11, 2008 order, plaintiff must follow both these procedures and Fed. R. Civ. P. Rule 56 governing summary judgment.

ORDER

IT IS ORDERED that plaintiff's motion for summary judgment, dkt#23, is DENIED.

Entered this 2nd day of January, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge