

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

- - - - -
SERGIO L. SHAW,

Plaintiff,

v.

BRIAN NEUMAIER,

Defendant.

ORDER

09-cv-747-bbc

- - - - -
Pro se plaintiff Sergio Shaw, a prisoner in the custody of the Wisconsin Department of Corrections, is proceeding on a claim that defendant Brian Neumaier, a correctional officer, violated plaintiff's rights under the Eighth Amendment by failing to protect him from self harm. In a January 13, 2011 order, I stayed further proceedings in order to locate counsel for plaintiff.

Kendall Harrison and Linda Schmidt, members of the Wisconsin Bar, have agreed to represent plaintiff, with the understanding that they will serve with no guarantee of compensation for their services. It is this court's intention that the appointment of these attorneys to represent plaintiff extend to proceedings in this court only.¹

¹ "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

Plaintiff should understand that because I am appointing counsel to represent him, he may not communicate directly with the court from this point forward. He must work directly with his lawyers and must permit them to exercise their professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Plaintiff does not have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by his lawyers even if he disagrees with some of them. In addition, plaintiff should understand that it is highly unlikely that this court would appoint another lawyer to represent him if he chooses not to work with these lawyers. The court will schedule a status conference to reset the schedule in this lawsuit.

ORDER

IT IS ORDERED that Kendall Harrison and Linda Schmidt are appointed to represent plaintiff in this case. All proceedings in this case are STAYED pending a status conference, at which time a new schedule will be set for moving this case to resolution.

Entered this 10th day of February, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge