

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

RAPHAEL MADDOX,

Plaintiff,

v.

Dr. PENNY DENNISON and
Dr. BRET REYNOLDS,

Defendants.

ORDER

10-cv-98-wmc

In this prisoner civil rights case, plaintiff Raphael Maddox is proceeding on his Eighth Amendment claims that defendant Reynolds failed to provide him with adequate medical treatment and defendant Dennison also failed to provide him with adequate medical treatment and subjected him to unconstitutional conditions of confinement. Defendants have filed a motion for partial summary judgment on the ground that plaintiff failed to exhaust his administrative remedies. Plaintiff was given until October 15, 2010 to respond to defendants' motion.

The October 15, 2010 deadline has passed and now plaintiff has moved for a two-week extension to file his brief in opposition. Plaintiff states in his motion that he has been having problems getting to the law library. *See* dkt. 24. It is unclear why plaintiff believes he needs to visit the law library in order to respond to defendants' motion. The question whether plaintiff has exhausted his administrative remedies is fact-based: either plaintiff followed grievance procedures or he did not. If he did not, then he must explain why not, so that the court can decide whether the grievance procedures were available to him. This information cannot be obtained from the law library.

Nevertheless, I will grant plaintiff's motion for extension of time to submit his opposition materials. This will be the only extension plaintiff receives with respect to the present motion for summary judgment.

ORDER

IT IS ORDERED that plaintiff Raphael Maddox's motion for an extension of time, dkt. 24, to file his materials in opposition to defendants' motion for summary judgment, is GRANTED. Plaintiff shall file all of his documents opposing the motion by November 8, 2010. Defendants may file their reply brief not later than November 15, 2010.

Entered this 26th day of October, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge