

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

DAVID W. WATTS,

Plaintiff,

ORDER

v.

10-cv-550-slc

RICK LUELL, TINA VIRGIL,
MICHAEL G. MYSZEWSKI,
DAN WESTFIELD, and RICK RAEMISCH,

Defendants.

Plaintiff David Watts, an inmate at the Limon Correctional Facility in Limon, Colorado, filed this case originally in the Circuit Court for Dane County, Wisconsin. On September 27, 2010, defendants removed this action to this court pursuant to 28 U.S.C. §§ 1441 and 1446 and paid the \$350 filing fee. However, because plaintiff is a prisoner, he is subject to the 1996 Prison Litigation Reform Act. Under the act, a plaintiff cannot proceed with this action unless the court grants him permission to proceed after screening his complaint pursuant to 28 U.S.C. § 1915A.

Accordingly, IT IS ORDERED that plaintiff's complaint is taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915A to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. The parties will be notified promptly when such a decision has been made. In the meantime, if plaintiff needs to communicate with

the court about this case, he should be sure to write the case number shown above on his communication.

Further, IT IS ORDERED that defendants' motion for screening of the complaint and extension of time to answer, dkt. #3, is GRANTED.

Entered this 29th day of September, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge