

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

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CHARLES WILLIAM HOOPER,

Plaintiffs,

v.

OFFICER MYERS,

Defendant.

ORDER

11-cv-11-slc

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On February 23, 2011 this court granted plaintiff Charles Hooper leave to proceed against defendant Myers in this conditions of confinement lawsuit. Defendant answered on April 1, 2011, and on April 4, 2011, this court announced that it would hold a telephonic scheduling conference on May 20, 2011 at 10:00 a.m., and provided a telephone number for plaintiff to call. The court mailed this notice to plaintiff at the address he provided to the court: 11403 S. Hermosa, Chicago, IL 60643.

On May 20, 2011, plaintiff did not call in to the court to participate in a scheduling conference. The assistant attorney general who is representing defendant had not heard from plaintiff either. Neither the court nor the assistant attorney general had a telephone number for plaintiff at which we could try to call him to find out why he had not participated in the scheduling conference.

To be fair to plaintiff, I will reset the telephonic scheduling conference for three weeks out, that is, Friday, June 10, 2011, at 11:00 a.m. Plaintiff should call into the court at that time, 608-264-5153. If it is impossible for plaintiff to call the court on this date at this time, then it is plaintiff's responsibility to let the court note this *before* June 10, because if he misses this second telephonic scheduling conference, the court will conclude that plaintiff no longer is interested in pursuing this lawsuit, and the court will dismiss this case for plaintiff's failure to prosecute it.

Also, for informational purposes, I am providing plaintiff with an update on his lawsuit against the Juneau County Jail, Case No. 10-cv-743. Although the computer assigned this case to me, another judge has to handle it until the parties consent to have me handle the case, (something that plaintiff already has done in *this* case against Officer Myers). That means that right now, I cannot issue a leave-to-proceed order in the Juneau County case. If plaintiff sends in a consent form, or just sends in a letter saying he consents to Judge Crocker's jurisdiction in Case No. 10-cv-743, then I can quickly issue a leave to proceed order. Otherwise, plaintiff will have to wait until the other judge has time to look at that case.

Entered this 20<sup>th</sup> day of May, 2011.

BY THE COURT:

/s

STEPHEN L. CROCKER  
Magistrate Judge