

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

JOHN L. DYE, JR.,

Plaintiff,

v.

CHARLES J. GRISDALE, PH.D.,
JEFFERY BARBELMAN, PH.D., DOCTOR RALPH,
MICHAEL THURMER, BELINDA SCHUBBE and
JOHN DOES,

Defendants.

MEMORANDUM

11-cv-112-slc

Plaintiff John Dye, Jr., a prisoner at the Waupun Correctional Institution in Waupun, Wisconsin, has submitted a motion for emergency injunctive relief along with a request for leave to proceed *in forma pauperis* accompanied by a trust fund account statement. In his motion, plaintiff seeks an order to reinstate his previous “feed cell” and single cell statuses because of plaintiff’s eating disorder/phobia.

Before this court can entertain a motion for preliminary injunctive relief from plaintiff, he will have to file a formal complaint pursuant to 42 U.S.C. § 1983, setting out the facts underlying his claim that he is entitled to relief in this court and identifying in the caption of the complaint all of the persons he intends to sue. I note that in his submissions, plaintiff references a document titled “Complaint/Petition,” but the court did not receive this document. Plaintiff should send the court a copy of this document or submit a new complaint (to assist plaintiff I am sending him this court’s forms for filing a civil lawsuit).

In addition, plaintiff has not signed the document titled “Memorandum of Law” that he submitted with his motion for emergency injunctive relief. Under Rule 11(a), every pleading, motion and other paper filed with the court must be signed by the party if that party is not represented by counsel. “The court must strike an unsigned paper unless the omission is

promptly corrected after being called to the attorney's or party's attention." Fed. R. Civ. P. 11(a). Therefore, I am returning plaintiff's document to him with his copy of this memorandum. Plaintiff should promptly sign and return the document to this court. Failure to do so will result in the documents being stricken pursuant to Rule 11(a).

Entered this 22nd day of February, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge