

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

ROBERT EARL ALEXANDER,

Plaintiff,

v.

PAUL SUMNICHT, *et al.*

Defendants.

ORDER

11-cv-153-wmc

Plaintiff Robert Alexander is proceeding in this case on his claims that defendants Paul Sumnicht and Belinda Schrubbe violated his Eighth Amendment rights because were deliberately indifferent to Alexander's serious medical need. Now, plaintiff has filed a motion for preliminary injunction in which he alleges that Waupun Correctional Institution officials are secretly video and audio recording plaintiff's every activity and opening plaintiff's legal and non-legal mail. Plaintiff also alleges that prison officials have installed undetected surveillance devices in his cell and provided fellow inmates with video monitoring devices to observe plaintiff. I will construe plaintiff's submission as a motion for preliminary injunction brought under Fed. R. Civ. P. 65(a). Plaintiff's motion will be denied without prejudice.

The first problem with plaintiff's motion for preliminary injunction is that the motion is unsigned and it appears that the last page of the motion may be missing. According to Federal Rules of Civil Procedure 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). So that plaintiff may review his motion, I am returning it to him along with his copy of this order.

The second problem with plaintiff's motion for injunctive relief is that his submission does not comply with this court's procedures for obtaining a preliminary injunction. In particular, plaintiff has not submitted admissible evidence to support his requests for injunctive relief and he has not proposed facts supported by such evidence. Those procedures are set out in a document titled *Procedure To Be Followed On Motions For Injunctive Relief*, a copy of which is included with this order. Plaintiff should pay particular attention to those parts of the procedure that require him to submit proposed findings of fact in support of his motion and point to admissible evidence in the record to support each factual proposition. Plaintiff may refile his motion at a later date in accordance with the attached procedures.

ORDER

IT IS ORDERED that plaintiff Robert Alexander's motion for preliminary injunctive relief, dkt. 10, is DENIED without prejudice.

Entered this 14th day of September, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge