

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

PRINCE ATUM-RA UHURU MUTAWAKKIL,
also known as NORMAN GREEN,

Plaintiff,

v.

PETER HUIBREGTSE, JUDITH HUIBREGTSE,
LEBBEUS BROWN, CHAD LOMEN,
ELLEN RAY, BRIAN KOOL
and DIANE ALDERSON

Defendants.

ORDER

11-cv-471-bbc

Plaintiff Prince Atum-Ra Uhuru Mutawakkil, also known as Norman Green, is proceeding on a claim that defendants are prohibiting him from identifying himself using his religious name, in violation of his rights under the free speech clause, the equal protection clause, the free exercise clause and the Religious Land Use and Institutionalized Persons Act. Now before the court is plaintiff's motion to stay the case while he pursues relief in state court. Dkt. #14.

I am denying plaintiff's motion. His primary argument for obtaining a stay is that his claim is "governed and regulated by state law," but that is incorrect. As noted above,

plaintiff's claim arises under the United States Constitution and a federal statute. Although state law may determine whether and under what circumstances plaintiff may change his name formally, that is not plaintiff's claim in this court.

If plaintiff wishes to dismiss this case to pursue a claim in state court, he is free to file another motion making that request, but I decline to stay the case indefinitely.

ORDER

IT IS ORDERED that the motion filed by plaintiff Plaintiff Prince Atum-Ra Uhuru Mutawakkil, also known as Norman Green, to stay this case, dkt. #14, is DENIED.

Entered this 30th day of January, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge