

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

MARCUSS CHILDS,

Plaintiff,

v.

CYNTHIA M. THORPE, DAVID BURNETT,
KEN ADLER, DALIA SULIENE, JAMES LABELLE,
CARLO GAANAN, LILLIAN TENEBRUSO,
BELINDA SCHRUBBE, W. BRAD MARTIN,
PAUL SUMNIGHT and THOMAS WILLIAMS,

Defendants.

ORDER

11-cv-500-bbc

In this civil action for monetary and injunctive relief under 42 U.S.C. § 1983, plaintiff Marcuss Childs, a prisoner at the Waupun Correctional Institution, is proceeding on claims that defendants Dalia Suliene, Carlo Gaanan, W. Brad Martin, Paul Sumnicht, Thomas Williams violated his rights under the Eighth Amendment by failing to provide him adequate medical care for his hernia. Plaintiff is also proceeding on a claim against defendant David Burnett in his official capacity. In an August 20, 2012 order, I granted plaintiff's motion for appointment of counsel and stayed the case in order to locate counsel willing to represent plaintiff.

Eric Baker and Richard Bolton have agreed to represent plaintiff, with the understanding that they will serve with no guarantee of compensation for their services. It

is this court's intention that the appointment of these attorneys to represent plaintiff extends to proceedings in this court only.¹

Plaintiff should understand that because I am appointing counsel to represent him, he may not communicate directly with the court from this point forward. He must work directly with his lawyers and must permit them to exercise their professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Plaintiff does not have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by her lawyers even if he disagrees with some of them. In addition, plaintiff should understand that it is highly unlikely that this court would appoint another lawyer to represent him if he chooses not to work with these lawyers. The court will schedule a status conference to reset the schedule in this lawsuit.

ORDER

IT IS ORDERED that Eric Baker and Richard Bolton are appointed to represent plaintiff in this case. Proceedings in this case remain STAYED pending a status conference,

¹ "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

at which time a new schedule will be set for moving this case to resolution.

Entered this 14th day of November, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge