

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

DWIGHT A. WILLIAMS,

Plaintiff,

v.

ORDER

11-cv-721-slc

RICHARD A. RAEMISCH, DAVID J. MAHONY,
IC SOLUTIONS, SWANSON CL CORPORATION,
CONSOLIDATED FOODS INC.,
CORRECT CARE SOLUTIONS INC.,
CAPT. TEUSCHER, LT. TWOMBLY, LT. PIERCE,
SGT. PRICE, SGT. TURK, SGT. FLERES,
SGT. ELVE, SGT. EDENS, SGT. LINDSLEY,
TRACI ROBERTS, M. STONER,
G. BROCKMEYER, S. KOWALSKI,
DR. WIESSE, NURSE ALLISON and NURSE TAMARA,

Defendants.

Pro se plaintiff Dwight Williams has filed an untitled document in which he “request[s] an enlargement of time to obtain physical evidence requested in discovery/subpoenas.” Dkt. 102. The purpose of the document is not clear. The discovery cutoff in this case is not until March 1, 2013, dkt. 36 at 7, so plaintiff does not need permission from the court to obtain additional discovery.

It may be that plaintiff is seeking additional time to respond to two motions for summary judgment filed by defendants on October 1. Dkt. 71 and 77. Plaintiff has not yet filed responses to these motions, even though they were due on October 31. To the extent plaintiff means to say that he needs more time because he is waiting for discovery responses from defendants, he has failed to follow the procedure in Fed. R. Civ. P. 56(d), which required him to file an affidavit or declaration in which he explains *why* he needs certain discovery in order to

respond to defendants' motion. *See also Deere & Co. v. Ohio Gear*, 462 F.3d 701, 706 (7th Cir. 2006) ("When a party thinks it needs additional discovery in order to oppose a motion for summary judgment[, Rule 56] of the Federal Rules of Civil Procedure provides a simple procedure for relief: move for a continuance and submit an affidavit explaining why the additional discovery is necessary.").

I will give plaintiff one additional week to file a summary judgment response. He should respond to all of defendants' arguments and proposed findings of fact. If there is a particular relevant fact that he believes he is unable to prove because defendants have not provided discovery he needs, he should (1) identify the fact with as much specificity as he can; (2) provide specific reasons why he believes the missing discovery would help him prove the fact; and (3) provide a copy of the discovery request to the court.

ORDER

It is ORDERED that plaintiff Dwight Williams's motion for extension of time, *dk.* #102, is GRANTED IN PART. Plaintiff may have until November 9, 2012, to file his summary judgment responses. Defendants may have until November 19, 2012, to file a reply. No further extensions will be granted.

Entered this 2nd day of November, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge