

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

CHARLES WILLIAM HOOPER,

Plaintiff,

v.

CAPTAIN CORONADO, LT. PEDERSON,
DEPUTY GRAVES and
OFFICER NEIL NEVILLE,

Defendants.

ORDER

11-cv-743-slc

Plaintiff Charles Hooper is proceeding in this case on his First Amendment and Eighth Amendment claims against defendants Captain Coronado, Lieutenant Pederson, Deputy Graves and Officer Neil Neville. At the preliminary pretrial conference held on August 10, 2011, this court set the schedule for trial, including deadlines for filing dispositive motions.

Now plaintiff has filed a motion for summary judgment. I will deny this motion without prejudice, because plaintiff failed to follow the procedures as outlined in the Procedure To Be Followed On Motions For Summary Judgment. This procedure was included with the August 16, 2011 pretrial conference 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 is reminded that the deadline for filing dispositive motions is February 10, 2012. Plaintiff will be free to renew his motion at any time before the February 10, 2012 deadline, *in accordance with the procedure to be followed on motions for summary judgment*.

Next, I note that plaintiff has not signed his motion, which is required by the Federal Rules of Civil Procedure. Under Rule 11, every pleading, motion or other paper filed with the court must be signed by the party if that party is not represented by counsel. "An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of

the attorney or party.” Fed. R. Civ. P. 11(a). Failure to sign future submissions may result in the filings being stricken pursuant to Rule 11(a).

Last, enclosed with plaintiff’s motion is a letter directed to the clerk’s office. Plaintiff asks the clerk to make copies of his filing, return a copy to him and send a copy to the defendants’ attorney. Plaintiff is reminded that it is his responsibility to ensure that all documents that are filed with the court are also served on the defendants’ attorney. Plaintiff should refer to the pretrial conference order entered on August 16, 2011. As explained on page two of that order, plaintiff must serve the defendants’ attorney every letter, motion, brief, exhibit and other document at the same time that he files any document with the court. The court will disregard documents submitted by plaintiff that do not show on the court’s copy that he has sent a copy to defendants or to defendants’ attorney. Plaintiff is also advised that the clerk’s office does not provide copies free of charge. The cost for copies is 10 cents a page and must be paid in advance. Plaintiff should be sure to keep a copy of all documents filed with the court for his own files. If plaintiff does not have access to a photocopy machine, he may send out identical handwritten or typed copies of his documents.

ORDER

IT IS ORDERED that plaintiff Charles Hooper’s motion for summary judgment, dkt. #23, is DENIED without prejudice to his refiling his motion in accordance with the procedures that are outlined in the pretrial conference order.

Entered this 22nd day of August, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge