

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

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NATANAEL RIVERA,

Plaintiff,

v.

MICHAEL SCHULTZ, SAMUEL MENNING,  
LAWRENCE PETERSON and JOHN DOE 1,

Defendants.

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ORDER

12-cv-240-bbc

Plaintiff Natanael Rivera, a prisoner at the Wisconsin Resource Center, is proceeding in this case on his claims that defendants, prison officials at the Green Bay Correctional Institution, subjected him to a strip search for the sole purpose of harassing and humiliating him. Before the court are several issues raised by plaintiff.

First, plaintiff asks to amend the caption to reflect that George Jimenez is the John Doe defendant in this case. Puzzlingly, Jimenez is not the person named by the state as the probable Doe, but plaintiff is free to name whoever he believes is the appropriate party. I will grant that motion and insert Jimenez in the caption going forward. At this point I assume that the state will be representing Jimenez as it is the other defendants. Jimenez may have until March 22, 2013 to file his answer.

Next, in his motion to amend the caption, plaintiff also states that defendants did not respond to his requests for admissions. However, it seems from the documents submitted by plaintiff that defendants *have* responded, so it is unclear exactly what plaintiff is asking the court to do. Accordingly, I will set briefing on plaintiff's motion.

Finally, plaintiff seeks the court's assistance in recruiting counsel to represent him in this case. The court already has denied plaintiff's three previous motions to appoint counsel,

although now plaintiff states that he suffers from several mental illnesses and that he will be transferred to a new facility where he will no longer be able to work with his jailhouse lawyer. I will deny the present motion because it is too early to tell whether these obstacles will make it too difficult for plaintiff to prosecute his case without assistance of counsel. Plaintiff is encouraged to seek the help of a new jailhouse lawyer at his new facility and renew his motion at a later time if that proves ineffective.

#### ORDER

It is ORDERED that:

- (1) Plaintiff Natanael Rivera's motion to amend the caption to name George Jimenez as the Doe defendant in this case, dkt. 43, is GRANTED. Jimenez may have until March 22, 2013 to file his answer.
- (2) Plaintiff has until March 8, 2013 to submit a brief in support of his motion to compel response to his requests for admissions, along with any supporting evidence he wishes to include. Defendants have until March 15, 2013 to submit their response. There will be no reply.
- (3) Plaintiff's fourth motion for appointment of counsel, dkt. 56, is DENIED WITHOUT PREJUDICE.

Entered this 22<sup>nd</sup> day of February, 2013.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge