

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

DWAYNE ALMOND,

Plaintiff,

v.

ORDER

12-cv-259-bbc

WARDEN WILLIAM POLLARD,
DR. SUMINICHT, M.D.,
R.N. AMY SCHRAUFNGED, R.N. S. JACKSON,
ANGLIA KROLL (ICE -PA),
DR. DAVID BURNETT, B.H.S. MEDICAL. D.,
DR. SCOTT HOFTIEZER, B.H.S. A.M.D.,
MR. JIM GREER, B.H.S. DIRECTOR,
MS. MARY MUSE, B.H.S. DIRECTOR OF NURSING,
and OFFICIAL JONES,

Defendants.

In an August 30, 2012 screening order, I granted plaintiff Dwayne Almond, an inmate at the Waupun Correctional Institution, leave to proceed on Eighth Amendment deliberate indifference claims against the above-captioned defendants for failing to treat his lower back and abdominal ailments. Also in the screening order, I construed plaintiff's complaint as including a motion for preliminary injunctive relief and set briefing on that motion. Plaintiff has submitted materials in support of his motion, but because they do not follow the court's procedures for briefing motions for injunctive relief, I will deny the motion without prejudice. Plaintiff has submitted also a motion for a ruling on his preliminary injunction

motion, which will be denied as moot.

Under this court's Procedure to be Followed on Motions for Injunctive Relief, plaintiff was required to set forth individually numbered proposed findings of fact setting forth each factual statement explaining what medical problems he has, when and how he asked for medical treatment, and how each of the defendants responded to his requests. Instead, plaintiff's proposed findings of fact are nothing more than a list of various exhibits attached to the proposed findings. This is insufficient. It gives the defendants no factual propositions to dispute, but assumes, mistakenly, that it is the court's task to wade through the voluminous documents filed by plaintiff to try to piece together the facts that might support his claims. Plaintiff has an extensive history of litigation in the court; he should be well aware that it is *his* task to explain to defendants and the court his basis for believing that defendants have violated his rights. Because plaintiff did not do this, I will deny his motion without prejudice to him refiling the motion with appropriate proposed findings of fact. (If he renews his motion he will not be required to resubmit the exhibits he has already provided the court. However, if he wants to rely on any of those exhibits, he will have to cite the specific place in the document that supports his proposed finding.)

ORDER

IT IS ORDERED that

1. Plaintiff Dwayne Almond's motion for preliminary injunctive relief, dkt. #6, is DENIED without prejudice to his renewing his motion with proposed findings of fact that

comply with this court's procedures for briefing motions for injunctive relief.

2. Plaintiff's motion for a ruling on his preliminary injunction motion , dkt. #24, is
DENIED as moot.

Entered this 18th day of December, 2012.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge