

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

TOMMIE CARTER,

Plaintiff,

v.

JOLINDA J. WATERMAN,

Defendant.

ORDER

13-cv-742-bbc

TOMMIE CARTER,

Plaintiff,

v.

SANDRA M. ASHTON,
RYAN P. ARMSON, TRACY R.
KOPFHAMER, MIKE A. MORRISON,
JASEN B. MILLER, JOSEPH W.
CICHONIWICZ, TROY HERMANS,
CRAIG A. TOM and PHILIP J. KERCH,

Defendants.

ORDER

14-cv-399-bbc

These prisoner civil rights cases are scheduled for a hearing on November 6, 2015 related to motions for sanctions filed by both plaintiff and defendants. Defendant Jolinda Waterman seeks sanctions in case no. 13-cv-742-bbc on the ground that plaintiff fabricated

evidence to support his claim. Plaintiff has filed multiple motions for sanctions in both cases in which he alleges that prison officials are retaliating against him in various ways in an attempt to stop him from continuing with his litigation.

Plaintiff has filed a document in which he requests counsel for the hearing. In the alternative, he asks that the court allow him to appear at the hearing telephonically. Dkt. #136. I am denying both requests.

Plaintiff does not need a lawyer to assist him at the hearing. All plaintiff has to do is testify truthfully about what has happened related to these motions and bring whatever evidence he has to support his story. Plaintiff says that he is concerned about speaking in front of “a large crowd,” but no jury will be present. Plaintiff is free to ask questions during the hearing if he does not understand something. If he makes a mistake, the court will instruct him on the proper procedure and allow him to try again.

Plaintiff does not explain why he wants to appear at the hearing telephonically. Regardless, an important part of the hearing is to assess the credibility of the witnesses, so it is important that plaintiff have the opportunity to testify in person.

Finally, plaintiff says that he is concerned about engaging in “self-inflicted violence” during the hearing as a result of stress. Plaintiff has no reason to feel stress if he is testifying truthfully. However, if either plaintiff, defendants or the officers transporting plaintiff believe that special precautions are necessary during the hearing, they may discuss their concerns with the court on November 6 before the hearing begins.

NOTE: For scheduling reasons, the hearing in these cases will not start until 9:15 a.m.

on November 6.

ORDER

IT IS ORDERED that plaintiff Tommie Carter's motion for assistance in recruiting counsel and his motion to appear telephonically at the hearing are DENIED.

Entered this 2d day of November, 2015.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge