

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

LUIGI E. AIELLO and JOSHUA
SCOLMAN,

Plaintiffs,

v.

KELLY WEST, CATHY A. JESS, and
PAUL LUDVIGSON,

Defendants.

ORDER

13-cv-562-wmc

Plaintiffs Luigi E. Aiello and Joshua Scolman, both inmates at Waupan Correctional Institution, were granted leave to proceed on claims under the First Amendment and Religious Land Use and Institutionalized Persons Act (“RLUIPA”), 42 U.S.C. § 2000cc *et seq.*, by limiting access to Jewish religious services, denying Seder meals at Passover, and reducing the number of ready-to-eat kosher meals. Defendants filed a motion for summary judgment on the basis that plaintiff Aiello failed to exhaust his administrative remedies regarding his claim that the denial of two hot kosher meals violates his rights under RLUIPA and the First Amendment. (Dkt. #21.) In responding to the motion, Aiello acknowledges that he is not asserting a claim concerning kosher meals; rather, that claim is limited to plaintiff Scolman. As such, the court will grant defendants’ motion as unopposed, and clarify that the claim based on defendants’ reduction of the number of ready-to-eat kosher meals is limited to plaintiff Scolman.

Accordingly,

IT IS ORDERED that defendants' motion for partial summary judgment based on plaintiff Luigi E. Aiello's failure to exhaust administrative remedies (dkt. #21) is GRANTED.

Entered this 17th day of June, 2015.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge