

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

TANYA KAY ANDERSON,

Defendant.

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ORDER

12-cr-116-bbc

14-cv-349-bbc

Defendant Tanya Kay Anderson has filed a motion for post conviction relief under 28 U.S.C. § 2255. Defendant was convicted in 2013 of bank robbery in violation of 18 U.S.C. § 2113(a) and sentenced to a custodial term of 46 months. She contends that she was denied the effective assistance of counsel, who failed to visit her often while she was in jail awaiting resolution of her case, failed to investigate the effect of the brain injury she suffered in an automobile accident in 2007, and did not take the steps necessary to see that defendant's requests for changes in her presentence investigation report were taken into consideration. In a separate claim, titled Ground Three, defendant alleges that she has serious health problems that are not being treated at the Carswell Federal Medical Center where she is housed.

Defendant's concerns about her health care are not the proper subject of a motion for post conviction relief. The only way in which she can sue for allegedly inadequate health

care in a federal prison is to bring an action under Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971), naming the individuals she thinks have denied her the care she needs. If she does file such a case, she must file it in the district in which the defendants reside, explaining what each named defendant did or failed to do to treat her properly.

#### ORDER

IT IS ORDERED that Ground Three of defendant's motion for post conviction relief is DISMISSED as outside the scope of defendant's motion. FURTHER, IT IS ORDERED that the government may have until June 30, 2014, in which to respond to Grounds One, Two and Four of defendant's motion. Defendant may have until July 21, 2014, in which to file a reply brief.

Entered this 10th day of June, 2014.

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