

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

RALPH LUTHER BLEVINS,

Plaintiff,

v.

WILLIAM BREW,

Defendant.

ORDER

83-cv-85-bbc

Ralph Luther Blevins, the plaintiff in this long-closed case, has filed an “application for enforcement of order.” It appears that he wants this court to enforce an order that this court entered in 1984. As plaintiff remembers the case, this court ordered the Federal Correctional Institution at Oxford, Wisconsin, to end its practice of separating newly entering inmates by race in the admission unit. Attached to his application is the declaration of Wayne Scott, who swears that in October 13, 2013, he met plaintiff at the Federal Correctional Institution in Fairton, New Jersey, that plaintiff asked him whether the officials at Oxford were still separating new inmates by race and that Scott said they were as of October 2011.

There are numerous reasons why plaintiff’s application cannot be granted, including the fact that Scott’s declaration refers only to procedures at Oxford that are more than three years old and gives no indication of how he learned the facts that he declares to be true. A

second reason is that plaintiff is no longer at Oxford and therefore not subject to the allegedly illegal separation of inmates. However, the main one is that the suit plaintiff brought in 1983 was not against the institution but only against William Brew, an officer at Oxford who had made housing decisions in the admissions unit for new arrivals. Because Brew was found responsible for plaintiff's injury, he was ordered to pay damages to plaintiff. He was not ordered to take corrective actions at the prison; plaintiff had not asked for such relief and Brew did not have the authority to make changes.

ORDER

IT IS ORDERED that plaintiff Ralph Luther Blevins's application for enforcement of an order is DENIED.

Entered this 26th day of November, 2013.

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