

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

CHRISTOPHER SCARVER,

Plaintiff,

MEMORANDUM

v.

01-C-0497-C

JON LITSCHER, GERALD BERGE,
PETER HUIBREGTSE, JEFF HRUDKA,
VICKI SEBASTIAN, LINDA OATMAN, BRIAN
KOOL, GARY BLACKBOURN, HANSON,
MILES, STEPHEN .M. PUCKETT, WALTZ and HOLDEN,

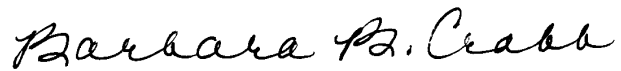
Defendants.

In an order entered on August 29, 2002, I appointed counsel to represent plaintiff in “all proceedings in this case” including “matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.” On May 31, 2005, judgment was entered dismissing this case following entry of an opinion and order in which I concluded that defendants were entitled to summary judgment on the merits of plaintiff’s claims. On June 13, 2005, plaintiff Scarver, acting pro se, filed a document titled “Motion for Permission to Appeal and Notice of Appeal.” On June 29, 2005, plaintiff’s counsel filed

a timely notice of appeal and paid the \$255 filing fee. Because plaintiff's pro se motion and notice are not properly filed in this case and are unnecessary in any event, I am requesting that the Court of Appeals for the Seventh Circuit waive the \$255 fee plaintiff owes under the 1996 Prison Litigation Reform Act for filing a notice of appeal separate from the appeal his lawyer filed on his behalf.

Entered this 7th day of July, 2005.

BY THE COURT:

A handwritten signature in black ink, reading "Barbara B. Crabb". The signature is written in a cursive, flowing style.

BARBARA B. CRABB
District Judge