

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

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EDWARD J. PISCITELLO,

Plaintiff,

ORDER

v.

02-C-0252-C

GERALD BERGE,

Defendant.  
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This is a civil action for declaratory, injunctive and monetary relief brought pursuant to 42 U.S.C. § 1983, in which plaintiff Edward J. Piscitello, an inmate at the Waupun Correctional Institution in Waupun, Wisconsin, was granted leave to proceed on his claims that (1) he was denied biblical counseling courses in violation of the First Amendment and (2) the totality of the conditions of his confinement while housed at the Supermax Correctional Institution violated his Eighth Amendment rights.

Presently before the court is plaintiff's "motion for leave to file supplement to original complaint," in which he (1) alleges various conspiracies relative to his role as an informant for the city of Milwaukee; and (2) re-alleges that he was denied due process when he was transferred to Supermax. (Although plaintiff characterizes "count two" as relating to his

totality claim, this count merely re-alleges his transfer claim.) There are two problems with this motion. First, the conspiracy allegations have nothing to do with either of the two claims on which I granted plaintiff leave to proceed. Indeed, his conspiracy claim does not even relate to those claims on which I *denied* him leave to proceed. Second, I denied plaintiff's request for leave to proceed regarding his transfer to Supermax claim and plaintiff has not suggested any reason to believe that I erred in making that decision. Accordingly, plaintiff's motion to file a supplement will be denied.

ORDER

IT IS ORDERED that plaintiff Edward J. Piscitello's motion for leave to file a supplement to his original complaint is DENIED.

Entered this 31st day of October, 2002.

BY THE COURT:

BARBARA B. CRABB  
District Judge