IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

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EUGENE L. CHERRY,

                                           ORDER

                  Petitioner,

                                      02-C-394-C

        v.

JON LITSCHER, GERALD BERGE,
JIM PARISI, SGT. MASON,
PAM BARTELS, DR. KIM, RON REIMER,
KATHRYN McQUILLAN, VICKI SHARPE,
KAREN SOLOMON, JOHN SHARPE,

                  Respondents.

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       In an order entered herein on September 10, 2002, I granted plaintiff's request for leave to proceed in forma pauperis on several claims, including one in which plaintiff alleges that defendants Pam Bartels, Kathryn McQuillan, Gerald Berge and Jon Litscher were deliberately indifferent to his serious medical needs. The state of Wisconsin Attorney General's office has notified this court that it has accepted service of plaintiff's complaint on behalf of all of the defendants except defendants Pam Bartels and Kathryn McQuillan, who are no longer employed by the Department of Corrections. Therefore, plaintiff will have to complete Marshals Service and summons forms for these defendants and return

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them to the court so that the United States Marshal can serve plaintiff's complaint on them. Plaintiff is responsible for providing the Marshals Service with an address at which defendants Bartels and McQuillan may be found. If plaintiff does not know the defendants' addresses and is unable to learn them before October 28, 2002, I will dismiss defendants Bartels and McQuillan from this case without prejudice to plaintiff's refiling his claims against them at a later time.

ORDER

IT IS ORDERED that plaintiff Eugene Cherry may have until October 28, 2002, in which to complete the enclosed Marshals Service and summons forms and return them to the court so that his complaint may be served on defendants Pam Bartels and Kathryn McQuillan. If, by October 28, 2002, plaintiff fails to complete the forms and return them to the court, then I will assume that plaintiff is unable to locate these defendants and they will be dismissed from this case without prejudice.

Entered this 2nd day of October, 2002.

BY THE COURT:

BARBARA B. CRABB
District Judge