

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

HARRISON FRANKLIN,

Plaintiff,

ORDER

v.

02-C-618-C

GARY R. McCAUGHTRY, GERALD BERGE,
PAULINE BELGADO, SARGENT SIEDOSCHLAG,
PETER HUIBREGTSE, LINDA HODDY-TRIPP,
JIM WEGNER, SARGENT LIND, CAPTAIN JOHN P
GRAHL, SARGENTDAN MEEHAN, CO II MIKE
GLAMAN, and NURSE HOLLY MEIER, PAM BARTELS,
TODD BAST and STEVEN SCHOELER,

Defendants.

Plaintiff has filed a document titled "Motion for Temporary Restraining Order," in which he asserts that defendants have transferred him to the Wisconsin Secure Program Facility in retaliation for his pursuing his claims against them in this case. He requests an order requiring his transfer to the Wisconsin Resource Center or Columbia Correctional Institution.

In situations in which a plaintiff alleges that the defendants have retaliated against

him for initiating a lawsuit, it is the policy of this court to require the claim to be presented in a lawsuit separate from the one which is alleged to have provoked the retaliation. This is to avoid the complication of issues which can result from an accumulation of claims in one action.

The court recognizes an exception to this policy only where it appears that the alleged retaliation will directly, physically impair the plaintiff's ability to prosecute his lawsuit. In this case, plaintiff's transfer to the Wisconsin Secure Program Facility may make it more difficult for him to conduct legal research, but it will not directly, physically impair his communication with the court and opposing counsel.

ORDER

IT IS ORDERED that plaintiff's motion for a temporary restraining order is DENIED.

Entered this 26th day of June, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge