

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

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JERRY CHARLES,

Petitioner,

v.

MATTHEW J. FRANK, JON  
LITSCHER & DICK VERHAGEN,

Respondents.  
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ORDER

02-C-626-C

Plaintiff has moved to amend his complaint in this case to allege a claim that a proposed new defendant is retaliating against plaintiff for his “legal work.” The alleged retaliatory acts are not identified clearly except that plaintiff says the retaliation has been going on for two years and has taken the form of denial of the use of the library computer, an 18-day stay in temporary lock-up, and a bogus conduct report. The motion will be denied.

In this case, plaintiff has been allowed to proceed on a single claim: that defendants are violating the Religious Land Use and Institutionalized Persons Act and the First Amendment by prohibiting him from wearing Muslim prayer beads under his shirt. At the

present time, the parties are briefing plaintiff's motion for summary judgment on the merits of the claim and defendants' motion to dismiss for plaintiff's failure to exhaust his administrative remedies is under advisement. If plaintiff wishes to sue prison officials for retaliating against him for exercising his constitutional right of access to the courts, he will have to do so in a lawsuit separate from this one.

ORDER

IT IS ORDERED that plaintiff's motion to amend his complaint to add a claim of retaliation for exercising his constitutional right of access to the courts is DENIED.

Entered this 23rd day of July, 2003.

BY THE COURT:

BARBARA B. CRABB  
District Judge