

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

EUGENE CHERRY,

Plaintiff,

ORDER

v.

03-C-129-C

THOMAS BELZ and
HENRY BRAY,

Defendants.

Plaintiff has filed a motion to reconsider the order dated December 4, 2003, denying his motion for a temporary restraining order or injunction. I denied plaintiff's motion for three reasons: (1) he did not identify who was allegedly harassing him and confiscating his legal documents; (2) generally, this court requires plaintiffs to file separate lawsuits when they believe they are being retaliated against; (3) he did not identify with any specificity what documents had been confiscated or explain why he needed them to prosecute this case.

Plaintiff has still failed to identify who it was that he believes confiscated his documents, referring only to "defendant coworkers or defendants." (Although plaintiff alleges that officer Suzanne Bray searched his cell, he does not allege that his materials for

this case were missing after the search.) In addition, with one exception, plaintiff has still failed to identify what documents are missing and why he needs them for trial. Simply alleging that “all of his exhibits” were confiscated does not provide the court with a basis to determine whether the materials are relevant to this case. Although plaintiff has still failed to show that he is entitled to injunctive relief, I infer from his motion that he is missing his complaint. Therefore, plaintiff’s motion is DENIED, but I have attached a copy of his complaint to this order.

Entered this 18th day of December, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge