

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

EUGENE CHERRY,

Plaintiff,

v.

MATTHEW FRANK, GERALD BERGE,
PETER HUIBREGTSE, GARY BOUGHTON,
BRAD HOMPE, JOAN GERL,
SGT. C. HANEY, THOMAS BELZ and
HENRY BRAY,

Defendants.

ORDER

03-C-129-C

In an order dated June 3, 2003, I granted defendants' motion for an in camera inspection of the affidavit of Brad Hompe and advised the parties that I was scheduling plaintiff's motion for a preliminary injunction for an evidentiary hearing on July 17, 2003. Also in that order, I anticipated that plaintiff may request appointment of counsel to assist him at the evidentiary hearing, and I advised plaintiff that any such motion would be denied. The June 3 order appears to have crossed in the mail with three additional filings from plaintiff: 1) a "motion" opposing defendants' request for in camera inspection of the Hompe affidavit; 2) a response to defendants' proposed findings of fact in opposition to plaintiff's

motion for preliminary injunction; and 3) a third motion for appointment of counsel. Nothing in plaintiff's motions opposing defendants' request for in camera inspection and seeking appointment of counsel convinces me that rulings in the June 3 order should be altered. Therefore, these motions will be denied. Plaintiff's response to defendants' proposed findings of fact will be placed in the court's file, but no consideration will be given to the document. Instead, as plaintiff is now aware, he is free to present testimony and documentary evidence relevant to the motion for preliminary injunction at the hearing scheduled for July 17.

ORDER

IT IS ORDERED that plaintiff's motions opposing defendants' request for in camera inspection of the Hompe affidavit and for appointment of counsel are DENIED.

Entered this 6th day of June, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge