

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

TITUS HENDERSON,

Plaintiff,

v.

DAVID BELFUEL, in his individual and official capacity,
JEFFREY ENDICOTT, in his individual and official capacity,
SUZANNE DEHAAN, in her individual and official capacity,
SCOTT ECKSTEIN, in his individual capacity,
JANELLE PASKE, in her individual capacity,
DAVID TARR, in his individual capacity,
SANDRA HAUTAMAKI, in her individual capacity,
CINDY O'DONNELL, in her official capacity,
HERB DEHN, PAUL RUHLAND and JUDY
CHOJNASKI, KAREN LALONE and
TOWNSHIP OF REDGRANITE VILLAGE,

Defendants.

ORDER

03-C-729-C

Plaintiff Titus Henderson has filed a document titled "Writ of Mandamus" in which he moves the court "to enter final judgment against defendants Karen LaLone, Judy Chojnacki, Cindy O'Donnell, Sandra Hautamaki, Paul Ruhland, David Tarr, Scott Eckstein, Suzanne DeHaan, Herb Dehn, Jeffrey Endicott and Township of Redgranite Village." Apparently, plaintiff has overlooked the judgment that was mailed to him on August 25,

2005, which shows clearly that judgment was entered in favor of all of the defendants he named during the course of this lawsuit. A second copy of the judgment is enclosed to plaintiff with a copy of this order.

Perhaps plaintiff is confused about whether judgment has been entered in favor of all of the defendants to this action because of a statement I made in the September 8, 2005 order addressing plaintiff's request for leave to proceed in forma pauperis on appeal. In that order, I had to consider whether plaintiff's appeal was taken in good faith. 28 U.S.C. § 1915(a)(3). I noted that plaintiff had not submitted a statement of the issues he intended to raise on appeal, a statement that would have been helpful to the court in deciding the question of good faith. Nevertheless, I stated that I was aware from having conducted plaintiff's trial against defendant Belfueil that plaintiff might be seeking to object to certain rulings I made leading up to and during the trial and that plaintiff's appeal from those rulings would not be taken in bad faith. I did not mean by this statement to limit the matters plaintiff can raise on appeal. If he intends to challenge on appeal the correctness of my decisions to dismiss the other defendants from the case in advance of trial, he is free to do so.

Accordingly, IT IS ORDERED that plaintiff's writ of mandamus is DENIED as unnecessary.

Entered this 19th day of September, 2005.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge