IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

RODNEY REED,

ORDER

Plaintiff,

04-C-167-C

v.

JON LITSCHER,
MICHAEL CATALANO,
PRISON HEALTH SERVICES, INC.,
PAM BARTELS,
JOHN DOES 1, 34, 35, 36, 37, 39, 82, 84, A, D and E;
and GERALD A. BERGE,

Defendant.

- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

Cole v. Litscher, 04-C-116-C, is a lawsuit that was transferred to this district from the District Court for the Eastern District of Wisconsin. When it was transferred, there were 14 plaintiffs, all prisoners or former prisoners in the Wisconsin prison system. In an order dated March 15, 2004, I severed the claims of the several plaintiffs, including those of plaintiff Rodney Reed. In an effort to insure that each individual pro se plaintiff was aware of the claims that had been raised on his behalf, I instructed the plaintiffs to submit, no later than April 9, 2004, individual proposed pleadings setting forth only those claims on which

they had been allowed to proceed and identifying all defendants who allegedly committed the acts about which they complained. I advised the plaintiffs that when I received their amend pleadings, I would review them to insure they were limited to the claims on which each had been granted leave to proceed. I advised the plaintiffs that if they were still unable to identify the defendants they described as Doe defendants almost two years ago when the original complaint was filed, I would dismiss the claims for which no defendant had been identified.

Plaintiff Rodney Reed has not responded to the March 15 order. That order made it clear to plaintiff that he would need to submit no later than April 9, 2004, an amended pleading setting out his claims against the defendants. As noted above, this requirement was imposed to insure that he understood and consented to the claims that were raised on his behalf in the group complaint. Plaintiff's failure to submit such a pleading suggests that he has not been involved in any meaningful way with litigating the group complaint and that he is not prepared to prosecute his own claims in a severed lawsuit.

Accordingly, IT IS ORDERED that this case is DISMISSED without prejudice to

plaintiff Rodney Reed filing a new complaint at some future time.

Entered this 19th day of April, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge