

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

DATHAN BEAN,

Plaintiff,

v.

SANDRA HAUTAMAKI, JEFFREY P.
ENDICOTT and KELLY MUESKE,

Defendants.

MEMORANDUM

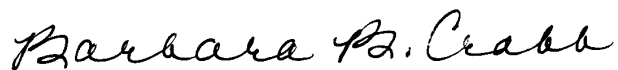
04-C-447-C

In this action, plaintiff Dathan Bean is proceeding on a claim that defendants violated his Eighth Amendment rights when they failed to protect his safety by double-celling him with inmate Oskar McMillian. For some inexplicable reason, plaintiff has allowed McMillian to be the force behind his original complaint and a motion for preliminary injunction that this court denied as moot. In the order denying the motion for preliminary injunction, I noted that much of the motion appeared to advance McMillian's personal agenda to have defendants revise their double-celling practice to insure he would not have to share a cell with another inmate. I told plaintiff that he does not have standing to raise a claim on behalf of McMillian. Now, once again, McMillian has interjected himself into this lawsuit

by filing a letter dated June 30, 2005, complaining that prison officials have interfered with his ability to prepare documents for plaintiff to file in this case. Because McMillian is not a party to this lawsuit, I do not intend to give his June 30 letter any consideration. Only the parties to a lawsuit or their lawyers may file documents for the court's consideration in a lawsuit. If inmate McMillian believes his constitutional rights are being violated by the actions of prison officials, he is free to file a lawsuit on his own behalf.

Entered this 12th day of July, 2005.

BY THE COURT:

A handwritten signature in black ink, reading "Barbara B. Crabb". The signature is written in a cursive, flowing style.

BARBARA B. CRABB
District Judge