

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

DANIEL R. WILLIAMS,

Plaintiff,

v.

HELENE NELSON, Secretary, Wisconsin
Department of Health and Family Services,
STEVE WATTERS, Director, Sand Ridge
Secure Treatment Center, DAVID THORTON,
Treatment Director SRSTC, STEVE
SCHNEIDER, Security Director SRSTC and
DR. WILLIAM AEYTEY, Psychiatrist SRSTC.

Defendants.

ORDER

04-C-774-C

In an order dated December 9th, 2004, I granted plaintiff Daniel Williams' leave to proceed in forma pauperis on his claims (1) that defendants Helene Nelson, Steve Watters, David Thorton, Steve Schneider and Dr. William Aeytey are providing him inadequate treatment in violation of the due process clause of the Fourteenth Amendment and Wis. Stat. § 51.61 and (2) that plaintiff's outgoing telephone calls, including those to lawyers, are being recorded in violation of the Fourth Amendment. On March 23, 2005, the court received a letter from plaintiff in which he states that he was not given his medication for

his mental illness on March 12, 2005 because he was participating in a Native American religious ceremony at the time medication was distributed. In the letter, plaintiff asks the court to “intercede” on his behalf, a request I will construe as a motion for preliminary injunction. Plaintiff’s motion will be denied.

It is not clear from the letter that the March 12, 2005 incident is related to the claims in the present lawsuit. Construed liberally, plaintiff’s complaint about not receiving medication for his mental illness could relate to his claim that he is being denied adequate treatment, although I note that none of the defendants in this case are mentioned in plaintiff’s letter. To the extent the March 12 incident is unrelated to the claims in this case, plaintiff’s request for injunctive relief is improper because he may not request relief for injuries that are beyond the scope of the claims in this lawsuit. If plaintiff believes the denial of his medication was a constitutional violation, he may file a separate lawsuit. To the extent this incident is related to plaintiff’s inadequate treatment claim, his request for injunctive relief is not appropriate because he has not demonstrated a likelihood of continuing harm that warrants injunctive relief. Instead, he has described a single, completed instance in which he did not receive his medication. He has not made any showing that any employee at the Sand Ridge Secure Treatment Center is likely to continue denying him his medication in the future. Without such a showing, injunctive relief is not warranted.

ORDER

IT IS ORDERED that plaintiff Daniel Williams' motion for preliminary injunction, dkt. #13, is DENIED.

Entered this 29th day of March, 2005.

BY THE COURT:

BARBARA B. CRABB
District Judge