

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

LUIS A. RAMIREZ,

Plaintiff,

v.

GARY R. McCAUGHTRY,
ANTHONY MELI, MARC CLEMENTS,
TOD RUSSEL, JOHN DOE ##1, 2 and 3,
STEVEN SCHUELER and CURT JANSSEN,

Respondents.

ORDER

04-C-0786-C

Plaintiff has complied precisely with the magistrate judge's directive to file, no later than January 31, 2005, an amended complaint in which he replaces all references to the John Doe defendants with the names provided to him by the state. Plaintiff's amended complaint now reflects that John Doe #1 is Bret Mierzejewski, John Doe #2 is Michael Glamann and John Doe #3 is Brian Passig. In all other respects, plaintiff's amended complaint is identical to the original complaint. Therefore, the amended complaint will be accepted as the operative pleading in this action.

Because plaintiff was allowed to proceed against defendant Gary R. McCaughtry for

the sole purpose of allowing him to identify the Doe defendants, and that purpose having now been served, I will dismiss McCaughtry as a defendant. Copies of the amended complaint are being forwarded to the Attorney General's office this day for informal service of process on the newly added defendants. In accordance with the magistrate judge's January 6, 2005 preliminary pretrial conference order, the new defendants and the existing defendants will have until February 14, 2005, in which to serve and file a response to the amended complaint.

ORDER

IT IS ORDERED that plaintiff's amended complaint substituting Bret Mierzejewski for John Doe #1, Michael Glamann for John Doe #2 and Brian Passig for Bret Mierzejewski, John Doe #2 is Michael Glamann and Brian Passig for John Doe #3 is ACCEPTED as the operative pleading in this action.

Further, IT IS ORDERED that defendant Gary R. McCaughtry is DISMISSED.

Entered this 31st day of January, 2005.

BY THE COURT:

BARBARA B. CRABB
District Judge