

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

TIMOTHY MAYMON,

Petitioner,

v.

MONONA CATERING, MATT REICHARD,
SUZIE REICHARD, KIM NELSON,
DIANE BUCHANAN, SHAWN SCHMIDT,
DARRON PENROD and GREG DAVIS,

Respondents.

ORDER

05-C-221-C

Petitioner Timothy Maymon seeks leave to proceed under the in forma pauperis statute, 28 U.S.C. § 1915, on his claim that respondent Monona Catering, his former employer, assigned him fewer and less desirable hours and passed him over for promotions because he had been filing complaints. In an order dated May 17, 2005, I concluded that petitioner's allegations were too cryptic to meet even the minimal pleading requirements of Fed. R. Civ. P. 8(a). As I noted in that opinion, petitioner did not provide any information about the substance of his complaints or to whom he submitted them, making it impossible to determine whether he had a federal claim. Federal law provides protection for only

limited classes of complaints.

Additionally, petitioner's allegations regarding these complaints are too vague to allow respondents to identify them. To state a claim for retaliation, a petitioner need not allege a chronology of events from which retaliation could be plausibly inferred. Higgs v. Carver, 286 F.3d 437, 439 (7th Cir. 2002). However, he must allege sufficient facts to put the respondents on notice of the claim so that they can file an answer. In the retaliation context, this means that a petitioner must provide enough information about the complaint on which the claim is premised to allow the respondent to identify it; a complaint is insufficient if it contains only allegations that respondents retaliated against petitioner for filing a complaint but none identifying the complaint or the acts alleged to have constituted retaliation. Id.

Instead of dismissing petitioners complaint for failure to comply with Rule 8 and for failure to state a claim, I gave petitioner until May 31, 2005 in which to file a supplement to his complaint providing a more detailed statement of the complaints he made and to whom he made them. I informed petitioner that if he did not file such a supplement within this time, his complaint would be dismissed. The deadline has now passed and petitioner has not responded to the court's order. Accordingly, I will deny him leave to proceed and dismiss his complaint.

ORDER

IT IS ORDERED that petitioner Timothy Maymon's request for leave to proceed in forma pauperis is DENIED and his complaint against respondents Monona Catering, Kim Nelson, Matt Reichard, Suzie Reichard, Diane Buchanan, Shawn Schmidt, Darron Penrod and Greg Davis is DISMISSED for failure to state a claim on which relief can be granted. The clerk of court is directed to close this case.

Entered this 10th day of June, 2005.

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