

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

GLENN M. DAVIS,

Plaintiff,

MEMORANDUM

v.

05-C-374-C

CATHERINE J. FARRY, Warden of New Lisbon Corr. Inst.,

Defendant.

Plaintiff has been allowed to proceed in this action on one claim, that during a period of eight months beginning in December 2004, prison officials in the mail room at the New Lisbon Correctional Institution opened seven pieces of his legal mail, all of which were clearly labeled as legal mail. Plaintiff is proceeding against defendant Farry for the sole purpose of learning who might have been personally involved in these incidents. Plaintiff was denied leave to proceed on a claim that he is being held in custody illegally, because such a claim must be raised in a petition for a writ of habeas corpus after plaintiff exhausts all of the state court remedies available to him. Now, however, plaintiff has filed two documents, one titled "Notice of Motion and Motion in Support of Plaintiff's Constitutional Rights Violations" and one titled "Notice of Motion and Motion to Correct the Inappropriate Legal

Language Used in the Above and Titled Action.” Neither of these documents will be considered, because both raise matters relating only to plaintiff’s habeas corpus claim, which that has been dismissed. Accordingly, although I am placing plaintiff’s motions in the court’s file, no consideration will be given to them.

Entered this 8th day of September, 2005.

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