

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

-----  
GLENN M. DAVIS,

Plaintiff,

v.

ORDER  
05-C-374-C

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

Defendant.  
-----

In June 2005, this case was transferred to this court from the District Court for the District of Colorado. The number assigned to plaintiff's case while he was in Colorado was case no. 05-cv-844-OES. When the case was transferred here, it was assigned case no. 05-C-374-C.

Now it has come to the court's attention that plaintiff did not serve defendant with his brief in opposition to her motion to dismiss because prison officials would not approve legal loan postage for a case bearing case number 05-C-374-C. According to plaintiff, he has attempted to explain to plaintiff officials that he has legal loan approval for case no. 05-cv-844-OES, which is now case no. 05-C-374-C, but prison officials fail to comprehend his explanation and refuse to approve postage because his case number "does not match the

original number.”

On this one occasion, I am sending a copy of plaintiff’s brief to defendant’s counsel. However, I am requesting that counsel for defendant contact officials at the New Lisbon Correctional Institution who are in charge of bookkeeping for legal loan privileges and insure that their records reflect that case no. 05-cv-844-OES is the same case as 05-C-374-C. Because defendant did not receive plaintiff’s opposing brief within the time set for briefing the motion to dismiss, I will extend the deadline for defendant to serve and file a reply.

ORDER

IT IS ORDERED that defendant may have until December 9, 2005, in which to serve and file a reply to plaintiff’s brief in opposition to her motion to dismiss.

Entered this 29th day of November, 2005.

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