

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

ANTHONY D. TURNER,

Plaintiff,

MEMORANDUM

v.

05-C-508-C

PETER HUIBREGTSE,
DANE ESSER and SGT. MICKELSON,¹

Defendants.

In an order dated October 24, 2005, I granted plaintiff leave to proceed on his claim that defendants Esser and Mickelson sexually assaulted him on April 4, 2005 and that defendant Huibregtse failed to intervene, in violation of plaintiff's Eighth Amendment rights. Defendants have not yet filed an answer to plaintiff's complaint. Now, however, plaintiff has filed a motion for appointment of counsel, together with a brief and affidavit in support. Unfortunately, plaintiff does not indicate that he has served a copy of his motion and

¹When the office of the Attorney General accepted informal service of plaintiff's complaint on defendant Esser, it advised the court that defendant Esser's first name is Dane, not Derrick as plaintiff had indicated in his complaint. Therefore, I have altered the caption of the case to reflect defendant Esser's true name.

supporting papers on the defendants or defendants' lawyer as he was directed to do in the October 24 order. Therefore, I am placing plaintiff's submission in the court's file but will give it no consideration to it until plaintiff notifies the court either that he has mailed a copy to each of the defendants or that he has mailed a copy to defendants' lawyer, once he has learned the name of the lawyer.

Entered this 17th day of November, 2005.

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