

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

EDUARDO M. PEREZ,

Plaintiff,

v.

BHS-DOC R/N SHARON ZUNKER,
in her personal and official capacities,

Defendant.

ORDER

05-C-711-C

On December 5, 2005, plaintiff Eduardo Perez, an inmate at the Stanley Correctional Institution in Stanley, Wisconsin, filed this civil action, contending that defendant Sharon Zunker was deliberately indifferent to his serious medical needs when she ignored his repeated requests for treatment at the UW-Health Pain Clinic. After finding that plaintiff's ability to speak or read English was seriously limited, on September 25, 2006, I appointed pro bono counsel to assist plaintiff in prosecuting his case.

Unfortunately, plaintiff and his lawyers do not apparently see eye to eye. On March 23, 2007, plaintiff's counsel filed a motion to withdraw from representing him in this case. A telephone hearing on that motion has been scheduled for April 11, 2007.

Now, however, plaintiff has filed an undated motion to stay all proceedings in this case. In his motion, plaintiff states that he is in the hospital having back surgery and has no access to the legal documents he needs to pursue his case if his lawyers withdraw from representing him. Because plaintiff's allegations suggest that he will not be able to participate in the scheduled motion hearing next week, I will stay the hearing. Plaintiff's lawyers are ordered to investigate plaintiff's situation and report to the court how soon plaintiff will be able to participate in a rescheduled motion hearing.

ORDER

IT IS ORDERED that the telephone motion hearing scheduled for April 11, 2007 is CANCELLED and a decision on plaintiff's counsel's motion to withdraw is STAYED.

FURTHER, IT IS ORDERED that by April 20, 2007, plaintiff's lawyers report to the court how soon plaintiff will be able to participate in a rescheduled motion hearing.

Entered this 6th day of April, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge