

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

SHAROME ANDRE POWELL,

Plaintiff,

v.

SERGEANT FINK, LIEUTENANT DURDIN
and CORRECTIONAL OFFICER KOPEHAMER,

Defendants.

ORDER

06-C-58-C

Plaintiff is proceeding in this case on his claim that defendants Fink, Durdin and Kopehamer used excessive force against him in violation of the Eighth Amendment when they slammed his head into a shower door. Now plaintiff has asked for clarification of this court's statement in its order of February 2, 2006, that plaintiff had made "small procedural errors" in the course of bringing his lawsuit. In particular, plaintiff asks the court to identify the procedural errors he made so that he does not repeat them in the future.

The procedural errors referred to in the February 2 order are 1) plaintiff's filing a request in this court instead of state court for additional time in which to give the state notice of his claim; and 2) plaintiff's submission of evidence to prove his case at the time he

filed his complaint. Both of these missteps were explained to plaintiff in the February 2 order. In all other respects, plaintiff's filing was exemplary.

IT IS ORDERED that plaintiff's motion for clarification is GRANTED as discussed above.

Entered this 17th day of February, 2006.

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