

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

ROBERT D. McGRATH,

Plaintiff,

ORDER

v.

06-C-343-C

LENARD WELLS and
LAURA MOFFIT,

Defendants.

In response to this court's order of September 11, 2006, plaintiff has submitted an affidavit of indigency and a request for leave to proceed in forma pauperis for the purpose of having the United States Marshal locate defendant Lenard Wells and serve him with plaintiff's complaint. From plaintiff's affidavit, I conclude that he qualifies for indigent status. Therefore, I will ask the United States Marshal to make a reasonable effort to obtain defendant Wells's current address by contacting the Wisconsin Parole Commission to learn whether the address is on file and whether the commission is willing to provide it to him. Reasonable efforts do not require the marshal to be a private investigator for civil litigants or to use software available only to law enforcement officers to discover addresses for

defendants whose whereabouts are not discoverable through public records or their employers or former employers.

Plaintiff is already aware from the September 11 order, that if the marshal locates defendant Wells, he is to serve Wells with plaintiff's complaint and he is required to hold Wells's address in confidence rather than reveal it on the marshals service form. Graham v. Satkowski, 51 F.3d 710, 713 (7th Cir. 1995).

ORDER

IT IS ORDERED that plaintiff's request for leave to proceed in forma pauperis is GRANTED. The clerk of court is requested to forward to the United States Marshal for service on defendant Wells a copy of plaintiff's complaint and Marshals Service and summons forms that have been completed to the extent they can be without defendant Wells's address.

Entered this 20th day of September, 2006.

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