

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

ANDREW SCHNEIDER,

Plaintiff,

v.

ORDER

CITY OF WEST BEND, CITY OF WEST BEND
POLICE DEPARTMENT, WASHINGTON COUNTY,
DAVID N. RETTLER and SPOUSE, DAVID
RESESKE and SPOUSE, ERIC J. SZATKOWSKI
and SPOUSE, ROY R. KORTE and SPOUSE,
KENNETH J. MUELLER and SPOUSE, STEVE
HOOGSTER and SPOUSE, DARYL W. LAATSCH
and SPOUSE, KATHRYN W. FOSTER and SPOUSE,
MATTHEW J. FRANK and SPOUSE, KEVIN POTTER
and POTTER, WISCONSIN DEPARTMENT OF CORRECTIONS
and THIRTY JOHN and JANE DOES,

06-C-380-S

Defendants.

On September 14, 2006 judgment was entered in the above entitled matter dismissing plaintiff's complaint and all claims contained therein without prejudice. Plaintiff moves to set aside the judgment. He is correct there was an error in the first sentence of the September 14, 2006 order. Plaintiff had already paid his partial fee and this sentence will be stricken from the order. In all other respects the order will be affirmed.

Plaintiff also moves to disqualify this Court. This Court is neither biased nor prejudiced against plaintiff and will not disqualify itself pursuant to 28 U.S.C. § 455.

Schneider v. City of West Bend, et al., 06-C-380-S

ORDER

IT IS ORDERED that plaintiff's motion to set aside the judgment is DENIED.

IT IS FURTHER ORDERED that the first sentence of the September 14, 2006 order is STRICKEN and the remainder of the order is AFFIRMED.

IT IS FURTHER ORDERED that plaintiff's motion to disqualify this Court is DENIED.

Entered this 25th day of September, 2006.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge