

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

DAVID J. CLARK,

Plaintiff,

v.

GAIL STEVENSON, JOHN JONES
JAMIE L. JACOBS, WANDA W.
BALDWIN,

Defendants.

MEMORANDUM

06-C-419-C

In an order entered in this case on August 15, 2006, I granted plaintiff David J. Clark leave to proceed in forma pauperis on his claim that defendants Stevenson, Jacobs, Jones and Baldwin retaliated against him for filing a lawsuit against defendant Baldwin when they issued him one or more disciplinary “warnings” and “counsels.” In the same order, I denied plaintiff leave to proceed in forma pauperis on all other claims, dismissed all of the other proposed defendants, and instructed plaintiff to complete Marshals Service forms so that defendants Stevenson, Jones, Jacobs and Baldwin could be served with his complaint.

Now plaintiff has submitted completed Marshals Service forms addressed to Christi Barmejo, Sinikka Santala, James Yeadon and Byron Bartow, all of whom were dismissed

from the case on August 15. Plaintiff includes a cover letter with his submission in which he states that he is confused about whose names were to have been placed on the forms. He notes that he advised the court at the time he submitted his complaint that it was his intention to serve the defendants who work at the Wisconsin Resource Center by asking one of his peers to hand-deliver his complaint to them. He notes as well that because defendants Stevenson, Jones, Jacobs and Baldwin all work at the Wisconsin Resource Center, he could only assume that he was to complete the forms for former defendants Barmejo, Santala and Yeadon, all of whom work in Madison, and that “the only other logical person” to be served by the Marshal was Byron Bartow.

Plaintiff is right. He is confused, but perhaps understandably so. I overlooked any statement he might have made concerning his intention to ask one of his peers to serve his complaint on the defendants who worked at the Wisconsin Resource Center. However, even if I had seen plaintiff’s statement, I would have advised him that I prefer that the United States Marshal serve his complaint on the defendants as 28 U.S.C. § 1915(d) requires. In any event, there is no need for plaintiff, a United States Marshal or any other person to serve the complaint in this case on the defendants who have been dismissed.

At this juncture, in order to conserve time and possible additional confusion, I will ask the clerk of court to complete the necessary Marshals Service forms for defendants Stevenson, Jones, Jacobs and Baldwin and to forward the forms, together with plaintiff’s

complaint and summonses plaintiff completed earlier, to the United States Marshal for service on defendants Stevenson, Jones, Jacobs and Baldwin.

Entered this 23d day of August, 2006.

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