

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

WALTER LEE HALL,

Plaintiff,

v.

ORDER

PAUL CLEMENS and FEDERAL
BUREAU OF PRISONS,

06-C-505-S

Defendants.

On October 3, 2006 the Court dismissed the above entitled action for plaintiff's failure to allege that he exhausted his administrative remedies. On October 10, 2006 plaintiff submitted a proposed complaint which alleged exhaustion of administrative remedies. Accordingly, the above entitled matter will be reopened.

Plaintiff alleges that on March 3, 2006 defendant Paul Clemens gave him a tuberculosis skin test although plaintiff advised him that he had positive reactions to skin tests. He further alleges that his whole arm was swollen and blistered. He will be allowed to proceed on his Eighth Amendment claim against defendant Paul Clemens. He will not be allowed to proceed against the Bureau of Prisons.

ORDER

IT IS ORDERED that the above entitled matter is REOPENED and plaintiff is allowed to proceed on his Eighth Amendment claim against defendant Paul Clemens.

Hall v. Clemens, 06-C-505-S

The summons and complaint is being delivered to the United States Marshal for service on Paul Clemens at the Federal Correctional Institution, Oxford, Wisconsin.

Entered this 16th day of October, 2006.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge