

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

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JAVIER R. SALGADO,

Plaintiff,

ORDER

v.

06-C-598-C

GREGORY GRAMS, Warden; JANEL NICKEL,  
Security Director; SEAN SALTER, Adm. Captain;  
STEVE CASPERSON, Administrator; DAN  
WESTFIELD, Security Chief; MATTHEW FRANK,  
Secretary of D.O.C.,

Defendants.  
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Plaintiff's claim in this case is that defendants have violated his right to exercise his religion under the First Amendment and the Religious Land Use and Institutionalized Persons Act by refusing to provide him with prayer oil, prayer beads and a prayer rug. Defendants filed a timely motion for summary judgment on June 6, 2007. Plaintiff's opposition materials were due originally on July 9, 2007, but Magistrate Judge Stephen Crocker extended plaintiff's deadline to July 23 when plaintiff filed a request for more time.

Plaintiff's July 23 deadline has come and gone, but plaintiff still has not filed any materials in opposition to defendants' motion for summary judgment. Instead, he has filed

a “motion for reconsideration” of the magistrate judge’s order extending plaintiff’s deadline, which I construe as another motion for an extension of time. This motion will be denied.

Plaintiff provides little explanation regarding why six weeks was an inadequate amount of time to file a summary judgment response. He says only that he believes that the court wrongly denied his motion for appointment of counsel. Although I understand that it is difficult for someone without legal training to represent himself, plaintiff’s claim is relatively straightforward, particularly when one considers the nature of defendants’ motion. Their argument is not legal, it is factual. They say that plaintiff *is* allowed to have prayer beads, prayer oil and a prayer rug, but that he never submitted a request for these materials, at least in the manner required by prison rules. Thus, to properly respond to the motion, plaintiff would have had to do little more than submit an affidavit explaining what efforts he took to obtain the items at issue in this lawsuit. Certainly, six weeks should have been more than an adequate amount of time in which to do that.

Further, the schedule simply does not allow any additional extensions. Trial in this case is scheduled for September 4, 2007, little more than a month away. Defendants’ motion for summary judgment must be resolved soon. Accordingly, plaintiff’s motion for an additional extension of time is DENIED and I will take defendants’ motion for summary

judgment under advisement.

Entered this 25th day of July, 2007.

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