

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

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MARK RENALDO LOWE,

Plaintiff,

MEMORANDUM

v.

06-C-680-C

DR. KAPLAN, NURSE DAN,  
MJS,

Defendants.  
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In an order entered in this case on April 6, 2007, I granted plaintiff leave to proceed on his claims that 1) defendant Nurse Dan refused to provide him an extra mattress to alleviate his chronic back pain; 2) defendant Dr. Kaplan performed an inadequate examination of his back and refused to offer him any effective treatment for his chronic back pain; and 3) defendant “MJS” failed to arrange for medical care for plaintiff. On April 10, 2007, the court received from plaintiff a letter dated April 5, 2007, together with two attachments.

In his letter, plaintiff states that he is enclosing “two original documents of correspondence requesting assistance while in the case and custody of [the] McNaughton

Correctional Center.” These documents appear to be intended as evidence to prove that plaintiff did not receive medical care from the defendants as he alleged in his complaint. Plaintiff’s complaint and the addendum he filed later at the request of the court included sufficient allegations to permit him to proceed in forma pauperis on his claims against the defendants. It is neither necessary nor desirable for him to amend his complaint to add the exhibits. The proper time to submit evidence is on a motion for summary judgment or at trial. Because it is far too soon in this lawsuit for any party to move for summary judgment or for a trial to be held, plaintiff’s submission of evidence is premature. Therefore, I am making a copy of the documents for record purposes only and am returning the original copies of plaintiff’s exhibits to him for his later use.

Entered this 12th day of April, 2007.

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