

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

COREY PALMS,

Plaintiff,

v.

MEMORANDUM

07-C-44-C

SANDRA SITZMAN, Health
Service Manager or Active Supervisor;
and JOHN DOES, Nurses-prison
official, individually and in their
official capacities,

Respondents.

In an order dated February 12, 2007, I granted plaintiff leave to proceed in forma pauperis on his claim that defendants Sandra Sitzman and several John Does were deliberately indifferent to his need for pain medication when they failed to insure his medication was timely delivered following removal of one of his wisdom teeth. I told plaintiff that for the remainder of this lawsuit, he was required to send defendants a copy of every paper or document that he filed with the court and that once he learned the name of the lawyer that would be representing the defendants, he should serve the lawyer directly rather than defendants. Also, I told him that I would disregard any documents he submitted

that did not show that he has sent a copy to the defendants or the defendants' lawyer. Finally, I told plaintiff that I was sending a copy of his complaint to the Attorney General for service on defendant Sitzman. That process is currently underway.

Now plaintiff has submitted an undated letter postmarked February 15, 2007, addressed to the clerk of court. In the letter, he lists the names of "some of the John Does" in the case. This document cannot be considered for two reasons. First, it does not appear to have been served on defendant Sitzman as plaintiff is required to do. More important, plaintiff cannot simply identify in a letter the John Doe defendants named in his complaint. Instead, he must amend his complaint to replace the John Doe defendants in the caption and in the body of the complaint. I do not recommend that plaintiff attempt to file such an amended complaint at this time. It is better that he waits to learn the names of all of the Doe defendants before undertaking this task. His wait will end soon enough. Once defendant Sitzman has been served with plaintiff's original complaint and filed an answer to it, the court will schedule a preliminary pretrial conference to be held by telephone before United States Magistrate Judge Stephen Crocker. At the conference, Magistrate Judge Crocker will set a deadline for defendant Sitzman to assist plaintiff in identifying the Doe defendants and for plaintiff to amend his complaint to name them. In the meantime, no

consideration will be given to plaintiff's communication postmarked February 15, 2007.

Entered this 23d day of February, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge