

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

TAYR KILAAB AL GHASHIYAH (KHAN),
f/n/a JOHN CASTEEL,

Plaintiff,

ORDER

v.

07-C-308-C

MATTHEW FRANK, RICHARD SCHNEITER,
CHRISTINE BEERKIRCHER, JAILOR A. JONES,
GERALD KONDOZ, JAILOR SHARPE,
JAILOR TAYLOR, JAILOR HANFIELD, JAILOR PRIMMER,
JAILOR MICKELSON, JAILOR ESSER,
JAILOR SCULLION, JAILOR BEARCE,
JOHN McDONALD, JOHN POLINSKE,

Defendants.

On October 18, 2007, I denied plaintiff Tayr Kilaab Al Ghashiyah (Kahn)'s motion for emergency injunctive relief. In his motion, plaintiff had complained that he was being denied daily access to the prison law library and legal loan extensions to "draft up motions, brief and postage for this action." In ruling on the motion, I noted that this case is in its earliest stages and that under Wisconsin Department of Corrections rules, prison officials may refuse a litigant's requests for legal loan extensions unless the inmate demonstrates an

extraordinary need for the loan “such as a court order requiring submission of specified documents.” I noted as well that the magistrate judge would be issuing a preliminary pretrial conference order immediately following the October 17, 2007 preliminary pretrial conference, that would likely suffice as “a court order requiring submission of specified documents” that would be sufficient to allow plaintiff to obtain the loans he needed to litigate this case. Therefore, I concluded that plaintiff had not shown that he was being prevented from litigating this action and, therefore, he was not entitled to emergency injunctive relief.

Now plaintiff has filed a motion for reconsideration of the October 18 order. In the motion, plaintiff reargues his view that in order to litigate this action to his satisfaction, he will need daily visits to the law library while this suit is pending and legal loan extensions beyond those authorized under Department of Corrections rules. However, nothing in his motion convinces me that he is being prevented from litigating this lawsuit. That just recently he was denied a legal loan extension to photocopy and mail a motion for a temporary injunction does not change my view. He suggests no reason why such a motion is important to the prosecution of his case and, if it is important, why he could not hand-copy rather than photocopy documents to support such a motion and why he could not use the postage he used to file this motion to present his motion for a temporary injunction. In sum, plaintiff has made no showing that he is being prevented from prosecuting this case and

there is no valid reason to reconsider my earlier order.

ORDER

IT IS ORDERED that plaintiff Tayr Kilaab al Ghashiyah (Kahn's) motion for reconsideration of the October 18, 2007 order denying his motion for emergency injunctive relief is DENIED.

Entered this 1st day of November, 2007.

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