

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

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DON L. HERLITZ,

Plaintiff,

v.

ORDER

WISCONSIN DEPARTMENT OF CORRECTIONS,  
RICK RAEMISCH, TOM GOZINSKE, WARDEN HEPP,  
MRS. DERUS, SGT. HAGLAN, MS. MAASEN, JODI  
DOUGHERTY, SHARON ZUNKER, DR. ADLER, CAPTAIN  
MUSHAK, LT. JOHNSON, NURSE STACY, SERGEANT  
BROWN, OFFICER SIMONSON and OFFICER  
ERICKSON,

07-C-444-S

Defendants.

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On August 21, 2007 plaintiff's complaint was dismissed without prejudice. He moves reconsideration. Plaintiff's allegations do not support a claim of deliberate indifference to a serious medical need. Plaintiff alleges that he will be released in January 2008 and will be able to retain an attorney. Since his complaint was dismissed without prejudice he can pursue any claim he believes he has at that time.

ORDER

IT IS ORDERED that plaintiff's motion for reconsideration is DENIED.

Entered this 28<sup>th</sup> day of August 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ

District Judge