

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS McHUGH,

Defendant.

ORDER

07-cr-100-jcs

Acting pro se, defendant Thomas McHugh filed two motions on April 18, 2008. The first was a motion for correction of a clerical error. That motion was granted in an order entered on April 24, 2008. The second motion was one to dismiss or modify the lis pendens filed by the government against certain property owned by defendant.

Defendant's second motion will be denied for lack of jurisdiction. Defendant has an appeal pending in the Court of Appeals for the Seventh Circuit and he has a lawyer representing him. Until that appeal is resolved, only the court of appeals has jurisdiction to hear challenges going to the merits of defendant's case.

ORDER

IT IS ORDERED that defendant Thomas McHugh's motion to dismiss or modify the lis pendens filed against his properties is DENIED for lack of jurisdiction.

Entered this 5th day of June, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge