

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

RODNEY JAMES REDMOND,

Petitioner,

v.

ORDER

09-cv-87-slc

MS. LANDERS, JANET WALSH,
MARTHA BREEN, RYAN TOBIASZ
and MIKE VANDENBROOK,

Respondents.

In this proposed civil rights action brought under 42 U.S.C. § 1983, petitioner Rodney James Redmond contends that respondents violated his Eighth Amendment rights by failing to provide him with adequate mental health care. In a March 13, 2009 order, Judge Crabb concluded that petitioner could not proceed with his case because his complaint did not comply with Fed. R. Civ. P. 8. She gave him until March 27, 2009, to submit an amended complaint giving respondents sufficient notice of his claim and the grounds upon which his claim rests. Now petitioner has filed a motion asking for a one-week extension of that deadline. That motion will be granted.

He also asks for a copy of his original complaint, so he “can amend it pursuant to the order of the court.” I will attach a copy of his original complaint to this order, but petitioner should be cautioned—in order to comply with Rule 8, he will have to make more than just minor revisions to his complaint. At minimum, it is expected that he will provide information about the following:

- What “serious mental illness” does petitioner have and why does he believe he needs treatment for it?
- What does each respondent know about petitioner’s mental illness?
- How does each respondent know what he or she knows?
- What treatment has petitioner received, if any? Why does petitioner believe that his treatment is not “adequate”?

Finally, petitioner appears to be under the impression that he has the option of voluntarily dismissing the case and having his initial partial payment refunded to him. Although at this point in the proceedings petitioner retains the right to voluntarily dismiss his case, should he choose to do so, his initial partial payment will not be refunded to him, and he will still owe the remainder of the \$350 fee for filing this case. 28 U.S.C. § 1915(b)(2).

ORDER

IT IS ORDERED that petitioner’s motion for an extension of time to file an amended complaint is GRANTED. Petitioner has until April 3, 2009 to file his amended complaint. If

petitioner fails to respond by that date, the clerk of court is directed to close the case.

Entered this 25th day of March, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge