

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

WILLIE C. SIMPSON,

Plaintiff,

v.

CYNTHIA THORPE and DR. COX,

Defendants.

ORDER

09-cv-532-bbc

Plaintiff Willie Simpson is proceeding on his claims that defendants Burton Cox and Cynthia Thorpe are denying him adequate medical care for his HIV symptoms and lesions on his organs, in violation of the Eighth Amendment. Now before the court is plaintiff's motion to compel the production of a group of medical reports from July and August 2010 and production of his legal materials, which he claims were confiscated.

In his motion plaintiff seeks to have the Department of Correction compelled to produce copies of medical records relating to treatment he has received in July and August 2010. Plaintiff *has* been able to review these documents. Defendants are not required to provide him copies of these records at their expense. Fed. R. Civ. P. 34(a). To the extent that plaintiff is seeking a legal loan from the institution to make copies of these records, he needs to comply with the rules of the institution to use a legal loan for this purpose. His motion to compel copies of medical records will be denied.

Next, plaintiff seeks an order compelling officials at the Green Bay Correctional Institution, where he currently resides, to return his litigation materials to him. According to the affidavit of William Swiekatowski, although Simpson is in segregation, he was provided the

legal materials that he requested. Therefore, plaintiff's motion to compel the production of his legal materials will be denied as moot.

ORDER

IT IS ORDERED that plaintiff's motion to compel, dkt. #96, is DENIED.

Entered this 1st day of October, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge