

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

MARKUS GRANSBERRY,

Plaintiff,

v.

DR. D. SULIENE, L. ALSUM
and SGT. FRIEND,

Defendants.

ORDER

09-cv-730-bbc

In this civil action for monetary relief brought pursuant to 42 U.S.C. § 1983, plaintiff Markus Gransberry is proceeding on claims that defendants Dr. Suliene, L. Alsum and Sgt. Friend failed to provide him adequate medical treatment in violation of the Eighth Amendment. On February 11, 2010, plaintiff filed a motion for an emergency transfer or a restraining order against defendant Friend and non-party correctional officer Goldsmith, dkt. #25. On February 19, 2010, I denied plaintiff's motion, dkt. #28. Now before the court is plaintiff's motion to clarify the allegations in his February 11 motion and to correct the February 19 order, dkt. #53. In particular, plaintiff asks that the court correct the sentence in the order stating that "Friend shouted at plaintiff to 'shut-the-hell-up-you-are-not-a-damn-lawyer-Gransberry!'" Dkt. #28, at 2. Plaintiff states that it was actually

correctional officer Goldsmith, not defendant Friend, who shouted those words at plaintiff. Plaintiff requests that this be changed in the order because he plans on filing a separate retaliation lawsuit against correctional officer Goldsmith, including allegations of Goldsmith's shouting at plaintiff.

I will deny plaintiff's motion because it is unnecessary. The court's February 19 order does not affect plaintiff's ability to file a separate lawsuit against Goldsmith for retaliation. If plaintiff chooses to file such a lawsuit, he will have the opportunity to allege facts regarding Goldsmith's treatment of plaintiff, including whether Goldsmith shouted at him. If Goldsmith attempts to make an issue of the allegations in plaintiff's previous motion for a restraining order, plaintiff can clarify his allegations at that time.

ORDER

IT IS ORDERED that plaintiff Markus Gransberry's motion for clarification and correction, dkt. #53, is DENIED.

Entered this 8th day of July, 2010.

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