

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

TIMOTHY FRANCIS RIPP,

Plaintiff,

v.

ROBYN BRADLEY,

Defendant.

ORDER

10-cv-259-bbc

Plaintiff Timothy Ripp is proceeding in this case on a claim that defendant Robyn Bradley denied him access to the courts by refusing to arrange conference calls to the small claims court. In an August 9, 2010 order, I denied plaintiff's motion for appointment of counsel. Now plaintiff has filed another motion for appointment of counsel (dkt. 15) as well as a motion for leave to file an amended complaint (14).

I will deny plaintiff's second motion for appointment of counsel because it is virtually identical to his first such motion that I denied. The only new information plaintiff provides is that he has been placed in segregation and has limited access to the segregation law library. This new information is not enough to change my ruling. There still is nothing in the record to suggest that the case is factually or legally difficult or that plaintiff's placement in segregation will prohibit him from litigating the case.

As for plaintiff's motion for leave to amend his complaint, I will deny that motion because it is unnecessary. Under Fed. R. Civ. P. 15, plaintiff is free to file a proposed amended complaint up to 21 days after defendants serve their answer. The court then will screen this amended complaint and determine at that time if the court will allow plaintiff leave to proceed on it.

ORDER

IT IS ORDERED that:

1. Plaintiff's motion for leave to file an amended complaint, dkt. 14, is DENIED as unnecessary.
2. Plaintiff's motion for appointment of counsel, dkt. 15, is DENIED.

Entered this 16th day of August, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge