

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

SALAAM JOHNSON,

Plaintiff,

v.

LIEUTENANT PRIMMER,
LIEUTENANT HANFELD, ELLEN K. RAY, and
GARY BOUGHTON,

Defendants.

ORDER

10-cv-316-slc

Plaintiff Salaam P. Johnson is proceeding in this case on First Amendment claims that he was improperly denied electronics for 65 days and retaliated against for using the inmate complaint review system. Now before the court is plaintiff's second motion to compel discovery. Dkt. 50. In his motion, he objects to the denial of his discovery requests but does not address any specific responses. Therefore, the court will address each request and response.

Interrogatory one is vague and rambling, but appears to ask for the "charter" of the Department of Corrections. Defendants object on the grounds that the request is unintelligible, vague, ambiguous and requires speculation on their part. In their response to plaintiff's motion to compel, defendants advise Johnson that he can review the Wisconsin statutes and the Department of Corrections Administrative Code at the institution library. The court agrees that plaintiff's first interrogatory is vague and ambiguous. Also, it does not appear that it seeks information likely to lead to admissible evidence. Plaintiff's motion to compel a response to this interrogatory will be denied.

In interrogatory two, plaintiff seeks information about the policies, procedures or rules governing the investigation and a video surveillance tape. Although defendants objected to the request as overly broad, they provided a copy of DAI Policy #310.00.01 and the video

surveillance tape he requested for plaintiff's review. Defendants have adequately responded to this request.

Interrogatory three asks whether defendants are legally allowed to provide inmates with private property for public use. Defendants objected to the request as vague and ambiguous but stated that the Wisconsin Secure Program Facility provides state owned televisions to inmates in Administrative Confinement and Step 3 of the segregation program. In their response to defendants motion to compel, defendants state that the televisions have been purchased from JL Marcus and that satellite service is provided by Locktight Security & Satellite. This response is adequate.

In his fourth interrogatory, plaintiff seeks the policies under which defendants were acting. Defendants object to this request as unintelligible, vague, ambiguous and requiring speculation. The court agrees that plaintiff needs to specify which policies he needs. Also, it appears that at least some of the policies plaintiff seeks are available for his review in the institution library.

Interrogatory five asks whether defendants were required to act within established policy, procedure, rules and regulations to prevent any constitutional violation. Defendants objects on the grounds that the request lacks specificity. However, in their response to plaintiff's motion to compel, defendants proffer that they will make available for plaintiff's review a copy of the defendant's position descriptions and the work rules. This response is adequate.

Interrogatories six and seven ask defendant for legal conclusions. Therefore, plaintiff's motion to compel responses to these requests will be denied.

ORDER

IT IS ORDERED that plaintiff Salaam Johnson's motion to compel, dkt. 50, is DENIED.

Entered this 15th day of April, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge