

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

GREGORY SEAN GORAK,

Plaintiff,

v.

JOHN PAQUIN, AMY SMITH,
RUSSELL BAUSCH and KAREN SOLOMON,¹

Defendants.

ORDER

11-cv-130-bbc

Plaintiff Gregory Gorak is proceeding on a claim that defendants violated his right to due process by refusing to allow him to call witnesses at his December 2008 disciplinary hearing. Now before the court is plaintiff's motion for injunctive relief. Plaintiff wants the court to order staff at the Fox Lake Correctional Institution to make double-sided copies of his documents to reduce his costs. This motion must be denied because plaintiff has not complied with this court's procedures for filing motions for injunctive relief. Instead, he has sent only a letter with a copy of the prison's copying procedure attached. I will send him a

¹ I have amended the caption to provide the correct spelling of defendant Solomon's name as provided by defendants.

copy of this court's procedures, which explain that a party moving for an injunction must provide proposed findings of fact showing the need for an injunction along with evidence supporting those facts.

Even if plaintiff had followed this court's procedures, it is unlikely that his present circumstances qualify as the type of extreme scenario under which I would contemplate issuing an injunction of this nature. There is only one situation in which I may take up the matter of court access in the context of a pending lawsuit that does not include the claim in the underlying complaint. If plaintiff could show that prison officials were actively and physically blocking his ability to come to trial or defend against a motion filed by the defendants, I would ask defendants' counsel to look into the matter and report the circumstances to the court.

Here, plaintiff does not seem to be alleging that he is being prevented from litigating this action, only that one-sided printing will cost him more. It is understandable that plaintiff wants the most cost-effective option possible, but his motion does not raise severe enough concerns warranting injunctive relief. If plaintiff finds that he can no longer prosecute this lawsuit because the prison's policies make it cost prohibitive, he is free to renew his motion, but he will have to explain in detail how the copying policy has kept him from performing tasks related to this action.

ORDER

IT IS ORDERED that plaintiff Gregory Gorak's motion for injunctive relief, dkt. #24, is DENIED.

Entered this 19th day of September, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge