

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

JOSE SOTO,

Plaintiff,

v.

DONALD MORGAN and
TRAVIS HAAG,

Defendants.

ORDER

11-cv-567-slc

In this civil action brought pursuant to 42 U.S.C. § 1983, plaintiff Jose Soto is proceeding on Eighth Amendment claims that defendant Donald Morgan denied him arch supports in segregation between March and September 2011 and that defendant Travis Haag denied his repeated requests for new shoes in segregation.

At earlier stages of the proceedings, plaintiff twice asked the court to find an attorney for him and twice the court said no. Now that this lawsuit is headed to trial, it appears that plaintiff actually will require the assistance of an attorney. Accordingly, I am striking the remaining dates on the calendar and staying proceedings until the court locates a lawyer who is willing to represent plaintiff. This usually takes a while—as in several months—so plaintiff should be patient.

A lawyer agreeing to represent plaintiff in a case like this one takes the case with no guarantee of compensation for his or her work. Plaintiff should be aware that once a lawyer appears on behalf of plaintiff, the lawyer is plaintiff's go-between with the court and with opposing counsel. The court will not directly communicate with plaintiff and plaintiff may not communicate directly with the court. Plaintiff will have to communicate directly with his lawyer about any concerns and plaintiff must allow his lawyer to exercise professional judgment to

determine which matters to bring to the court's attention and what motions and other documents to file. Plaintiff cannot demand that his attorney raise frivolous arguments and cannot insist that his attorney follow every directive plaintiff makes. Plaintiff must be prepared to accept his lawyer's strategic decisions even if plaintiff disagrees with some of them. Plaintiff must understand that if he cannot cooperate or chooses not to cooperate with the attorney the court finds for plaintiff, then it is highly unlikely that the court will recruit another lawyer to represent plaintiff in this lawsuit.

ORDER

It is ORDERED that plaintiff Jose Soto's request for assistance in recruiting counsel to represent him in this case, dkt. 123, is GRANTED. Further proceedings in this case remain STAYED pending the recruitment of counsel for plaintiff. Once the court finds counsel willing to represent plaintiff, the court will advise the parties and hold a status and scheduling conference.

Entered this 11th day of March, 2013.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge