

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

WAYNE J. HART, JR.,

Plaintiff,

v.

MICHAEL THURMER, SUSAN KIMBALL,
MARY GORSEK and PAUL SUMNICHT,

Defendants.

ORDER

11-cv-604-bbc

Judgment was entered in this case on October 19, 2012, granting defendants' motion for summary judgment and closing this case. Plaintiff filed a notice of appeal and on December 12, 2012, I granted his request for leave to proceed in forma pauperis on appeal. Plaintiff submitted the initial partial payment calculated by this court for that appeal. Plaintiff then filed a second notice of appeal. In a January 29, 2013 order, I denied plaintiff's request for leave to proceed in forma pauperis on the second notice of appeal because it was duplicative of the first appeal.

The United States Court of Appeals for the Seventh Circuit dismissed plaintiff's first appeal for his failure to prosecute it and dismissed his second appeal for plaintiff's failure to pay the \$455 filing fee for that appeal. Now plaintiff has filed a new motion in this court stating that he is "resubmitting his case" to the district court. He states that he does not understand civil procedure, feels that he has done everything he was supposed to do in the

Seventh Circuit and now requests counsel to assist him further.

Plaintiff's motion must be denied because his appeals are out of this court's hands; to the extent that he thinks the court of appeals has erred or that he deserves counsel to assist him further with his appeals, he will have to raise those issues with the court of appeals.

ORDER

IT IS ORDERED that plaintiff Wayne Hart's motion "to resubmit his case" to this court, dkt. #59, is DENIED.

Entered this 24th day of July, 2013.

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