

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

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DOUGLAS BALSEWICZ,

Plaintiff,

v.

TAMMY MAASSEN, KENNETH ADLER,  
KEVIN CLARK and DAVID HAGGLUND,

Defendants.

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ORDER

12-cv-153-bbc

Plaintiff Douglas Balsewicz was granted leave to proceed *in forma pauperis* in this case on his claims that defendants failed to provide him with adequate medical treatment for his foot and back injuries in violation of the Eighth Amendment and Wisconsin negligence law. Now plaintiff has filed two motions to compel as well as a third motion to appoint counsel.

In his first motion to compel, plaintiff states that defendants have inadequately responded to several of his interrogatories as well as one request for admission. I will deny this motion because defendants' responses appear to indicate that they have satisfactorily responded to plaintiff's requests; defendants have answered interrogatory no. 4, provided the documents requested in nos. 8 and 10 and made available the policies requested in nos. 6 and 7, which is all they are required to do. They also denied request for admission no. 27, regarding whether certain health service request forms are maintained in offender records. The denial may not be the answer plaintiff wants, but he does not provide evidence indicating that this is incorrect.

In his second motion, plaintiff asks defendant Adler to "fully answer" the second set of admissions directed toward him, but provides no detail in his motion about which of the responses he takes issue with, nor has he informed defendants through informal channels. I will deny this motion without prejudice to plaintiff stating with particularity which admissions he is talking about and what he believes is wrong with Adler's responses.

Finally, plaintiff has filed a third motion for appointment of counsel. However, at this point, nothing has changed suggesting that the court incorrectly decided his first two motions or that he is not at least as capable as the average pro se litigant to present his claims. Accordingly, I will deny plaintiff's third motion as well.

ORDER

IT IS ORDERED that plaintiff Douglas Balsewicz's motions to compel, dkt. 30, 39, and motion for appointment of counsel, dkt. 32, are DENIED.

Entered this 8<sup>th</sup> day of May, 2013.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge