

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

JEFFREY M. DAVIS, JR.,

Plaintiff,

ORDER

v.

12-cv-559-wmc

CINDY HARDING, DONNA MILLER,
JENNIFER LEMKE, JASMINE RUTHERFORD,
TONY E. GASSON, ALICIA HANS,
KIRK RATCHMAN, MICHAEL DRAKE,
TRACY ZUTZ, DEREK STOINSKI, DORIS DEHN,
KALLY ROCKOW, KEVIN KAUFMANN, MICHAEL PRIEBE,
CINDY WEILAND, THEODORE STERN,
LIZ BARKER and MICHAEL ROBL,

Defendants.

In this case, plaintiff Jeffrey Davis is proceeding on a claim that defendants violated his rights under the Eighth Amendment and were negligent under state law by acting with deliberate indifference to his serious mental health needs by failing to take reasonable measures to stop him from harming himself. Now before the court is plaintiff's letter indicating that he is not receiving treatment at his current place of confinement, the Columbia Correctional Institution, and is considering acts of self-harm. Earlier in the case, the court accepted the parties' stipulation to dismiss plaintiff's motion for preliminary injunctive relief because he had been moved from the Wisconsin Resource Center, where plaintiff's allegations took place. I understand plaintiff's newest letter as a new request for preliminary injunctive relief, this time regarding his treatment at the Columbia Correctional Institution. Accordingly, I will set briefing on that motion. I will also give plaintiff an opportunity to amend his complaint to include allegations regarding his treatment (or lack thereof) at the Columbia Correctional Institution.

Finally, I recommend that counsel for defendants forward a copy of plaintiff's newest letter to CCI staff so that they are aware of his statements regarding possible impending self-harm.

ORDER

It is ORDERED that

(1) Plaintiff may have until April 24, 2013 to submit a proposed amended complaint including allegations regarding his treatment at the Columbia Correctional Institution.

(3) Plaintiff may have until April 17, 2013 to submit his materials in support of his motion for preliminary injunctive relief. Defendants may have until April 24, 2013 to submit their response.

Entered this 2nd day of April, 2013.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge