

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

SEAN ANTHONY RIKER,

Plaintiff,

v.

TAYLOR ANNE RIKER,

Defendant.

ORDER

12-cv-641-bbc

Plaintiff Sean Anthony Riker, an inmate at the Wisconsin Secure Program Facility, is proceeding pro se on a claim that defendant Taylor Anne Riker slandered him by falsely telling the police that he had downloaded child pornography on his computer. In an order entered October 31, 2012, dkt. #15, I denied plaintiff's motion requesting a court order requiring that his home laptop computer be sent to the Wisconsin Secure Program Facility so that he may review the child pornography that defendant downloaded on it. I explained that sending child pornography to the court would not help prove plaintiff's slander claim.

Plaintiff has filed a motion for reconsideration of the order, arguing that the "only way" to prove his claim is by submitting the child pornography to the court. Dkt. #16. He also argues that "[t]his case is not just about slander and defamation"; it is also about how defendant downloaded child pornography and blamed it on plaintiff. *Id.* at 1. Plaintiff is incorrect. The only claim on which plaintiff is proceeding is his slander claim against

defendant, and plaintiff does not need to submit any child pornography to the court to prove his slander claim. Rather, plaintiff must prove that defendant made false and defamatory statements to the police. If plaintiff believes he needs information from defendant or a third party regarding his laptop computer in order to prove his claim, he can ask for that information through discovery procedures. However, as I explained already, plaintiff is already in possession of evidence showing that any child pornography on the computer was downloaded after he was incarcerated. Thus, there is no reason for the court to issue an order that would allow defendant to review child pornography and submit it to the court.

ORDER

IT IS ORDERED that plaintiff Sean Anthony Riker's motion for reconsideration, dkt. #16, is DENIED.

Entered this 26th day of November, 2012.

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