

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

ERIC L. TOLONEN,

Plaintiff,

OPINION and ORDER

v.

12-cv-782-bbc

DR. RICHARD HEIDORN, JEANETTE GREENWOOD,
DR. DAVID BURNETT and DR. KENNETH ADLER,

Defendants.

Plaintiff Eric Tolonen, a prisoner at the Jackson Correctional Institution, located in Black River Falls, Wisconsin, is proceeding on claims that Wisconsin Department of Corrections medical staff is failing to treat his severe cystic acne and dermatitis. Plaintiff has filed a motion to add the warden of the Jackson Correctional Institution, Lizzie Tegels, as a defendant because she would be at least partly responsible for ensuring that any of the injunctive relief plaintiff seeks is carried out. I conclude that it is appropriate to add Tegels as a defendant for this purpose. See, e.g., Gonzalez v. Feinerman, 663 F.3d 311, 315 (warden is proper defendant for purposes of claims for injunctive relief even though plaintiff did not allege that warden was personally responsible for violation of his rights).

ORDER

IT IS ORDERED that plaintiff Eric Tolonen's motion to add Warden Lizzie Tegels as a defendant in this case, dkt. #15, is GRANTED. Under an informal service agreement between the Wisconsin Department of Justice and this court, copies of plaintiff's complaint, supplement to the complaint and this order are being sent today to the Attorney General for service on Tegels. Tegels is not required to submit an answer to the complaint.

Entered this 18th day of January, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge