

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

PRINCE ATUM-RA UHURU MUTAWAKKIL
also known as NORMAN C. GREEN,

Plaintiff,

v.

JOAN GERL, ROBERT PATTEN,
THOMAS TAYLOR, LEONARD JOHNSON,
JEREMY McDANIEL, JAMES BOISEN,
PETER HUIBREGTSE and KELLY TRUMM,

Defendants.

ORDER

12-cv-816-bbc

In an order dated January 10, 2014, I granted the motion filed by plaintiff Prince Atum-Ra Uhuru Mutawakkil, also known as Norman Green, for leave to amend his complaint to add state law claims that defendants Robert Patten, Joan Gerl, Thomas Taylor, Jeremy McDaniel and Leonard Johnson committed the torts of assault, battery and intentional infliction of emotional distress during the alleged use of force and strip search that occurred in November 2007. Because a notice of claim is a prerequisite to a tort claim against a Wisconsin public employee, Ibrahim v. Samore, 118 Wis.2d 720, 726, 348 N.W.2d 554 (1984), I gave plaintiff until January 24, 2014, to file a copy of any notice of claim that he filed with the state and any response that he received related to the use of force

and strip search that occurred in November 2007. In addition, I told plaintiff that I would dismiss the state law claims if he did not respond to the order.

Plaintiff's January 24 deadline passed several weeks ago, but he has not filed a notice of claim or otherwise responded to the court's order. Accordingly, I am dismissing the complaint as to plaintiff's state law claims.

ORDER

IT IS ORDERED that plaintiff Prince Atum-Ra Uhuru Mutawakkil's complaint is DISMISSED as to his state law claims that defendants Robert Patten, Joan Gerl, Thomas Taylor, Jeremy McDaniel and Leonard Johnson committed the torts of assault, battery and intentional infliction of emotional distress during the alleged use of force and strip search that occurred in November 2007.

Entered this 24th day of February, 2014.

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