

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

MICHAEL P. OBERMILLER,

Plaintiff,

v.

WARNER, C, HSU Sup,

Defendant.

ORDER

13-cv-813-bbc

Plaintiff Michael Obermiller filed a complaint in this case, alleging that he had not received proper medical treatment at the New Lisbon Correctional Institution. (By the time plaintiff filed his complaint, he was incarcerated at the Chippewa Valley Correctional Transitional Facility. In a February 10, 2014 order, I dismissed plaintiff's complaint because it did not satisfy the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. I directed plaintiff to file an amended complaint.

Now plaintiff has responded to the February 10 order, but not with an amended complaint. Rather, he has filed a letter stating that he "would like to take the next step to continue on with this case and show the courts that the H.S.U. staff at New Lisbon Corrections is [to] blame for the problems I'm having with my eye" Also, he has attached about forty pages of medical records that he believes support his claims.

This response is insufficient. In order to continue, plaintiff has to file a complaint

that includes in the caption the names of the defendants he wishes to sue and an explanation of what these defendants did that violated his rights. Although plaintiff's medical records may include some of this information, I cannot pick through the records to determine his claims. Plaintiff must take the information he believes is important and include that in his complaint. The body of plaintiff's complaint should be *his story* of what happened, taking care to explain:

- When did plaintiff request medical treatment?
- Why did he request it? (what was his medical need?)
- How and when did each defendant respond to his requests?
- How was plaintiff harmed by each defendant's response?

Further, plaintiff should consider whom to name as defendants in the new complaint. If he knows the identity of any individual who violated his rights, he should name that person in the caption of the complaint and explain what that person did to harm him. If he does not know any individual's name, he may refer to the individual as John or Jane John Doe 1, John Doe 2, etc., and explain what role that individual played in violating plaintiff's rights.

I will include a copy of this court's complaint form with a copy of this order so that plaintiff may fill it out as directed. Plaintiff may have until April 17, 2014 to submit his amended complaint. If he does not submit his amended complaint by this deadline, I will direct the clerk of court to enter judgment in favor of defendant and close the case.

ORDER

IT IS ORDERED that plaintiff Michael Obermiller may have until April 17, 2014 to submit an amended complaint. If plaintiff fails to do so by this deadline, I will direct the clerk of court to enter judgment in favor of defendant Warner, C, HSU Sup.,.

Entered this 27th day of March, 2014.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge