

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

CASE #

BERRELL FREEMAN,

Plaintiff,

v.

JUDGMENT IN A CIVIL CASE

Case No. 03-C-0021-C

GERALD BERGE, Warden in his official and individual capacities; JON LITSCHER; PETER HUIBREGTSE, Deputy Warden, in his individual capacity; GARY BOUGHTON, Security Director, in his individual capacity; JOHN SHARPE, Unit Manager (former) in his individual capacity; and BRAD HOMPE, Unit Manager, in his individual capacity,

Defendants.

This action came before the court and a jury with DISTRICT JUDGE BARBARA B. CRABB presiding. The issues have been considered and tried and the jury has rendered its verdict.


IT IS ORDERED AND ADJUDGED THAT JUDGMENT IS ENTERED:

- (1) DENYING plaintiff's request for leave to proceed with respect to his claims that defendants violated his right to due process under the Fourteenth Amendment by restricting the paper he receives and his Fourth Amendment rights by searching his cell;
- (2) GRANTING defendants' motion to dismiss plaintiff's claims that he was strip searched in violation of the Fourth and Eighth Amendments and that he was


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E. L. Clark

- subject to sensory deprivation and social isolation in violation of the Eighth Amendment;
- (3) GRANTING defendants' motion for summary judgment with respect to plaintiff's claim that defendants violated his Eighth Amendment rights by subjecting him to extreme cold and DISMISSING all claims against defendant Jon Litscher;
- (4) AWARDING plaintiff Berrell Freeman damages in the total amount of \$1,250,000.00 against defendants Gerald A. Berge, Peter Huibregtse and Brad Hompe following trial on plaintiff's claim that he was deprived of food in violation of the Eighth Amendment and DISMISSING all claims against defendant Gary Boughton;
- (5) GRANTING plaintiff's motion for permanent injunction and enjoining defendants Gerald Berge, Peter Huibregtse and Brad Hompe from withholding meals from plaintiff Berrell Freeman as a response to any rule violation that does not constitute an imminent security risk.

Approved as to form this 30th day of December, 2004.



BARBARA B. CRABB
DISTRICT JUDGE



Theresa M. Owens, Clerk of Court

DEC 30 2004
Date