

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

WILLIE C. SIMPSON,

Plaintiff,

v.

JOSHUA KAUL, ANDREA L. OMANSON
PAULA STOUTT, D. GOFF, S. ELLIS, ELLEN RAY,
JADEN MCCULLICK, DANIEL LEFFLER,
JULIE PAYNE, CO FREDRICK, THOMAS TAYLOR,
CO TURNER, CO HALVERSON, CO JOHNSTON,
CO VANHAUEN, C. TOM, CO KROPP,
SGT. MAZZENNETTE, SGT. SHERMAN, CO ROSE,
CO KLATT, CO BUZZELLI, and A. TITLBACH,

OPINION and ORDER

25-cv-994-jdp

Defendants.

WILLIE C. SIMPSON,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF CORRECTIONS,
TONY EVERS, JARED HOY, PAULA STOUTT,
JADEN L. MCCULLICK, and JOSHUA KAUL,

OPINION and ORDER

26-cv-25-jdp

Defendants.

WILLIE C. SIMPSON,

Petitioner,

v.

WARDEN PAULA STOUTT,

OPINION and ORDER

26-cv-44-jdp

Respondent.

Willie Simpson, proceeding without counsel, is incarcerated at Wisconsin Secure Program Facility (WSPF). Simpson has filed these three lawsuits complaining of conditions at

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WSPF and that he is being imprisoned unlawfully because the criminal statutes under which he was convicted were later repealed. His pleadings in Case Nos. 25-cv-994-jdp and 26-cv-25-jdp are styled as civil-rights complaints and his pleading in Case No. 26-cv-44-jdp is styled as a petition for writ of habeas corpus under 28 U.S.C. § 2254.

Simpson has “struck out” under 28 U.S.C. § 1915(g), which means that he cannot obtain indigent status under § 1915 in any suit he files during the period of his incarceration unless he alleges facts in his complaint from which an inference may be drawn that he is in imminent danger of serious physical injury. He is also subject to two filing bars issued by the Court of Appeals for the Seventh Circuit. *Simpson v. Litscher*, No. 20-3293, 2021 WL 2206439 (7th Cir. Mar. 19, 2021) (barring him from filing any papers except habeas petitions and motions in criminal cases); *Simpson v. Boughton*, No. 23-2638 (7th Cir. Sept. 18, 2023) (barring him from filing any collateral attack on his Wisconsin criminal convictions or sentences).

Although Simpson states that each of these cases is not an attack on his underlying convictions, that is not a fair reading of two of his pleadings. In his '44 habeas petition, he contends that prison officials are unlawfully incarcerating him because his convictions are no longer valid. Because that petition is really a collateral attack on his convictions barred by the court of appeals' 2023 habeas sanctions order, I will dismiss the '714 petition and I will deny him a certificate of appealability.

In Simpson's '25 civil-rights complaint, he asks for damages rather than release, but his underlying allegations are based on his alleged unlawful detention under what he believes are now-invalid criminal statutes. That case is barred because this court cannot consider claims for which a judgment in his favor would imply the invalidity of a state conviction. *Heck v. Humphrey*, 512 U.S. 477, 486–87 (1994). And even if *Heck* didn't apply, that complaint would

be barred by the court of appeals' 2021 order barring Simpson from filing any papers except habeas petitions and motions in criminal cases.

That leaves Simpson's '994 civil-rights complaint. That complaint isn't directly about his alleged unlawful imprisonment; instead, Simpson alleges a variety of unrelated constitutional violations, including prison officials blocking his access to the courts, retaliating against him for filing grievances and complaints, holding him in administrative confinement for prolonged periods, and subjecting him to harmful conditions regarding his food and restraints. But that complaint is also barred by the court of appeals' 2021 order. So I will dismiss all three of Simpson's cases.

ORDER

IT IS ORDERED that:

1. Case Nos. 25-cv-994-jdp, 26-cv-25-jdp, and 26-cv-44-jdp are DISMISSED.
2. The clerk of court is directed to enter judgment accordingly and close these cases.
3. Plaintiff is DENIED a certificate of appealability in the '44 case.
4. All pending motions in each of these three cases are DENIED.

Entered February 3, 2026.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge

APPENDIX - A

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

WILLIE C. SIMPSON,

Plaintiff,

v.

JOSHUA KAUL, ANDREA L. OMANSON
PAULA STOUTT, D. GOFF, S. ELLIS, ELLEN RAY,
JADEN MCCULLICK, DANIEL LEFFLER,
JULIE PAYNE, CO FREDRICK, THOMAS TAYLOR,
CO TURNER, CO HALVERSON, CO JOHNSTON,
CO VANHAUEN, C. TOM, CO KROPP,
SGT. MAZZENNETTE, SGT. SHERMAN, CO ROSE,
CO KLATT, CO BUZZELLI, and A. TITLBACH,

Defendants.

ORDER

25-cv-994-jdp

WILLIE C. SIMPSON,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF CORRECTIONS,
TONY EVERS, JARED HOY, PAULA STOUTT,
JADEN L. MCCULLICK, and JOSHUA KAUL,

Defendants.

ORDER

26-cv-25-jdp

WILLIE C. SIMPSON,

Petitioner,

v.

WARDEN PAULA STOUTT,

Respondent.

ORDER

26-cv-44-jdp

Willie Simpson, proceeding without counsel, filed these three lawsuits complaining of conditions at WSPF and that he is being imprisoned unlawfully because the criminal statutes

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under which he was convicted were later repealed. I dismissed each of these cases under filing bars issued by the Court of Appeals for the Seventh Circuit. Dkt. 5 in Case No. 25-cv-994-jdp (citing *Simpson v. Litscher*, No. 20-3293, 2021 WL 2206439 (7th Cir. Mar. 19, 2021) (barring Simpson from filing any papers except habeas petitions and motions in criminal cases until he pays \$1,000 fine); *Simpson v. Boughton*, No. 23-2638 (7th Cir. Sept. 18, 2023) (barring him from filing any collateral attack on his Wisconsin criminal convictions or sentences until he pays \$1,500 fine)).

Simpson now moves to alter or amend the judgments in these cases under Federal Rule of Civil Procedure 59(e). To win on this motion, *Simpson* “must present either newly discovered evidence or establish a manifest error of law or fact.” *Oto v. Metro. Life Ins. Co.*, 224 F.3d 601, 606 (7th Cir. 2000). Simpson does not meet this standard so I will deny his motion.

Simpson doesn’t argue that I incorrectly applied the court of appeals’ filing-bar sanctions orders. Rather, he argues that I disregarded his right to a jury trial by dismissing the cases under those sanctions orders; he appears to believe that the sanctions orders themselves are unconstitutional. None of the authorities he cites support that proposition, which is unsurprising because sanctions orders of this kind have never been found unconstitutional. And in any event, this district court cannot overrule the court of appeals’ sanctions decisions.

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ORDER

IT IS ORDERED that plaintiff's motion to alter or amend the judgments in these cases,
Dkt. 5 in Case No. 25-cv-994-jdp, is DENIED.

Entered March 27, 2026.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge

APPENDIX-B

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

WILLIE C. SIMPSON,

Plaintiff,

v.

JOSHUA KAUL, ANDREA L. OMANSON
PAULA STOUTT, D. GOFF, S. ELLIS, ELLEN RAY,
JADEN MCCULLICK, DANIEL LEFFLER,
JULIE PAYNE, CO FREDRICK, THOMAS TAYLOR,
CO TURNER, CO HALVERSON, CO JOHNSTON,
CO VANHAUEN, C. TOM, CO KROPP,
SGT. MAZZENNETTE, SGT. SHERMAN, CO ROSE,
CO KLATT, CO BUZZELLI, and A. TITLBACH,

Defendants.

ORDER

25-cv-994-jdp

WILLIE C. SIMPSON,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF CORRECTIONS,
TONY EVERS, JARED HOY, PAULA STOUTT,
JADEN L. MCCULLICK, and JOSHUA KAUL,

Defendants.

ORDER

26-cv-25-jdp

WILLIE C. SIMPSON,

Petitioner,

v.

WARDEN PAULA STOUTT,

Respondent.

ORDER

26-cv-44-jdp

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WILLIE C. SIMPSON,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF CORRECTIONS,
CITY OF LANCASTER GRANT COUNTY SHERIFF
DEPARTMENT, JARED HOY, CRAIG REUKAUF,
TODD MILLER, PAULA STOUDT, AND
TONY EVERS,

ORDER

26-cv-255-jdp

Defendants.

I dismissed each of these cases under the filing bars entered against plaintiff Willie Simpson by the court of appeals in *Simpson v. Litscher*, No. 20-3293, 2021 WL 2206439 (7th Cir. Mar. 19, 2021) (barring him from filing any papers except habeas petitions and motions in criminal cases), and *Simpson v. Boughton*, No. 23-2638 (7th Cir. Sept. 18, 2023) (barring him from filing any collateral attack on his Wisconsin criminal convictions or sentences). Simpson has filed a notice of appeal and a motion for leave to proceed without prepayment of the entire appellate filing fee, also known as “in forma pauperis” status, for each of these cases. *E.g.*, Dkts. 11–13 in Case No. 25-cv-994-jdp.

I will deny Simpson’s motions for in forma pauperis status because he remains barred from initiating appeals under the terms of the court of appeals’ sanction orders. And even if Simpson wasn’t barred from filing appeals, I would conclude that his appeals are taken in bad faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3).

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ORDER

IT IS ORDERED that plaintiff's motions for leave to proceed without prepayment of the entire appellate filing fee for his appeals in each of these cases is DENIED.

Entered April 23, 2026.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge

Appendix - C

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

ORDER

Submitted March 16, 2021
Decided March 19, 2021

Before

FRANK H. EASTERBROOK, *Circuit Judge*
DIANE P. WOOD, *Circuit Judge*
MICHAEL Y. SCUDDER, *Circuit Judge*

No. 20-3293	WILLIE C. SIMPSON, Plaintiff - Appellant v. JON E. LITSCHER, et al., Defendants - Appellees
Originating Case Information:	
District Court No: 3:18-cv-00467-jdp Western District of Wisconsin District Judge James D. Peterson	

The following is before the court: **AFFIDAVIT OF WILLIE SIMPSON SUPPORTING MOTION FOR EMERGENCY PRELIMINARY INJUNCTION PENDING FINAL DECISION ON THE APPEAL**, filed on March 15, 2021, by pro se appellant.

Appellant Willie Simpson moves for a preliminary injunction pending appeal. This court has carefully reviewed the final order of the district court, the record on appeal, and appellant's motion and brief. Based on this review, the court has determined that the motion and appeal are frivolous. *See Taylor v. City of New Albany*, 979 F.2d 87 (7th Cir. 1992); *Mather v. Village of Mundelein*, 869 F.2d 356, 357 (7th Cir. 1989) (per curiam). The district court did not err in dismissing the complaint at screening and denying a preliminary injunction. Accordingly,

IT IS ORDERED that the motion is **DENIED** and the judgment of the district court is summarily **AFFIRMED**.

IT IS FURTHER ORDERED that Simpson is sanctioned \$1,000 for filing this frivolous appeal objecting to the implementation of his criminal sentence after this court previously warned and sanctioned him for bringing frivolous challenges to the same sentence. *See* Nos. 16-3436,

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26-cv-25

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

Submitted August 18, 2023

Decided September 18, 2023

Before

ILANA DIAMOND ROVNER, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

No. 23-2638

WILLIE C. SIMPSON,
Applicant,

On Motion for an Order Authorizing the
District Court to Entertain a Second or
Successive Petition for Collateral Review.

v.

GARY BOUGHTON,
Respondent.

ORDER

For several sex-crime convictions from Wisconsin, Willie Simpson is serving decades of imprisonment. His frequent but frivolous habeas corpus challenges to the state judgments led us to impose a \$1,000 fine and filing bar in early 2017. Nos. 16-3436, 16-3630 & 17-1467 (7th Cir. Mar. 30, 2017); *see also* No. 20-3293 (7th Cir. Mar. 19, 2021) (imposing similar fine and filing bar for non-habeas lawsuits). Yet in 2020 Simpson paid the 2017 fine, thus lifting the filing bar for habeas cases. He followed up with an application for leave to file a successive petition under 28 U.S.C. § 2244(b). We denied it, warning Simpson that “any frivolous habeas corpus appeals or § 2244(b) applications” in the future will lead to renewed sanctions. No. 22-2086 (7th Cir. July 13, 2022).

Now Simpson again asks for leave to reopen his old federal cases or file a new one under § 2244(b). His argument runs as follows: In the years after his convictions,

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16-3630, & 17-1467 (Mar. 30, 2017); No. 15-2956 (May 13, 2016).

IT IS FINALLY ORDERED that unless and until Simpson pays in full the sanction that has been imposed against him and all outstanding filing fees, the clerks of all federal courts in this circuit are directed to return unfiled any papers submitted either directly or indirectly by him or on his behalf. *See In re City of Chi.*, 500 F.3d 582, 585-86 (7th Cir. 2007); *Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995) (per curiam). In accordance with our decision in *Mack*, exceptions to this filing bar are made for criminal cases and for applications for writs of habeas corpus, *See Mack*, 45 F.3d at 186-87. This order will be lifted immediately once Simpson makes full payment. *See City of Chicago*, 500 F.3d at 585-86. If Simpson, despite his best efforts, is unable to pay in full all outstanding sanctions and filing fees, he is authorized to submit to this court a motion to modify or rescind this order no earlier than two years from the date of this order. *See id.*; *Mack*, 45 F.3d at 186.

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Wisconsin amended its sex-crime statutes to include new penalties and different definitions; despite the lack of any clear legislative statement that the changes would be retroactive, Simpson insists, Wisconsin rules of statutory interpretation necessarily imply that the changes are retroactive; thus, he asserts, the statutes he originally violated are effectively nonexistent and always have been; and so, he concludes, Wisconsin has no basis to imprison him, and federal judges lacked jurisdiction to decide his prior habeas cases.

This argument is implausible on its face. None of the cases or statutes cited in the application supports it. And if, contrary to appearances, the argument had merit, then Simpson has identified no good reason for not raising it sooner. It involves no new and retroactive constitutional rule announced by the Supreme Court, and no new evidence about the facts underlying Simpson's convictions—so there is no colorable argument that it satisfies 28 U.S.C. § 2244(b)(2)'s requirements for a successive application. Nor has Simpson identified a source of authority for us to direct any court to reopen his old federal cases today.

We therefore **DENY** authorization and **DISMISS** Simpson's application. Because Simpson has persisted with frivolous habeas litigation despite a prior \$1,000 fine and our more recent warnings, we impose the following **SANCTION**:

Simpson is fined \$1,500. Until he pays that sum in full to the clerk of this court, any collateral attack on his Wisconsin criminal convictions or sentences that he files in any federal court of this circuit will be returned unfiled. Any application for leave to file a successive collateral attack will be deemed denied 30 days after filing unless the court orders otherwise. See *Alexander v. United States*, 121 F.3d 312 (7th Cir. 1997).

Simpson

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