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still kicking! 😊

Hello,

I'm writing to share an important court decision that affects transparency and accountability inside Wisconsin prisons.

In **Dane County Circuit Court Case No. 24-CV-1066**, Judge Everett Mitchell recently **denied the Wisconsin Department of Corrections' motion for reconsideration** and reaffirmed his earlier ruling requiring the DOC to release **prison body-camera footage under Wisconsin's Public Records Law**.

This decision matters because it confirms that the public—including prisoners and their families—has the right to obtain records showing what actually happens inside correctional institutions. Body-camera footage can document how staff interact with prisoners during searches, escorts, use-of-force incidents, disciplinary events, and other situations that often occur outside the view of the public.

For years, many families have had to rely solely on official reports written by prison staff. Judge Mitchell's ruling strengthens the principle that **objective video evidence is a public record when it documents the actions of government employees performing their duties**.

The case that produced this ruling involved a request for body-camera footage related to an incident inside a Wisconsin prison. After the DOC initially refused to release the footage, the case was litigated in court. Judge Mitchell ordered the footage released under Wisconsin's Public Records Law, and the DOC asked the court to reconsider that ruling. The judge has now rejected that request and allowed the transparency order to stand.

This decision helps ensure that:

- Families can seek records documenting incidents involving their loved ones.
- Journalists and advocates can investigate misconduct or abuse.
- Prison officials know that their actions may be subject to public scrutiny.
- Courts can rely on video evidence rather than only written reports.

I have attached a copy of the court's order so you can read it yourself. If you have a loved one in prison, you may want to **print this order and mail it to them**, because access to important legal developments is often limited inside correctional institutions.

Understanding court decisions like this helps prisoners, families, and advocates protect the rights that Wisconsin law guarantees.

Thank you for taking the time to read this and for sharing it with others who may find it important.

Sincerely,

Nate A. Lindell  
Prometheus Writes

I am appealing Judge Mitchell's ruling, in part, because he failed to apply the proper standard, which is that officials must show a reasonable likelihood that their legitimate fears regarding the release of records will actually come to pass. He denied some of the footage from body-cams simply because they were from the prison's Seg unit, which he called a "private area." That's not a good enough reason to deny records.

In Cases No's 25-CV-2143 and 25-CV-2589, I am challenging the WDOC's blanket refusal to release security camera footage (cameras mounted in the ceiling), which I sought under Wisconsin's Public Records Laws. I expect to prevail, meaning that friends, family, supporters of prisoners and journalists may obtain body-cam and security camera footage under WI's Public Records Laws.

Reports about my litigation may be found on: [u/PrometheusWrites](https://www.reddit.com/user/PrometheusWrites)  
[PrometheusWrites.neocities.org](https://www.prometheuswrites.neocities.org); [Facebook.com/PrometheusWrites](https://www.facebook.com/PrometheusWrites)

It's expensive litigating these cases, costs thousands. Donations to support my work may be sent to me at: [\\$PrometheusWrites](https://www.cash.app/$PrometheusWrites) (CashApp), [@Natester75](https://www.venmo.com/Natester75) (Venmo)

BY THE COURT:

DATE SIGNED: January 27, 2026

Electronically signed by Judge Everett D. Mitchell  
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH 4

DANE COUNTY

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STATE OF WISCONSIN ex rel.  
NATE A. LINDELL,

Petitioner,

v.

Case No. 2024-CV-1066

TERRI REES, et al.,

Respondents.

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**DECISION AND ORDER**

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**INTRODUCTION**

This is a public records case in which Nate Lindell seeks the release of government records related to an alleged sexual assault involving himself and another prisoner in a Wisconsin prison. On June 2, 2025, the Court ordered the respondents "to produce redacted versions of the body-worn camera recordings" Lindell had sought. Now, the respondents seek reconsideration of that order. I deny the respondents' motion for reconsideration because they fail to show any manifest error in the prior ruling. I further address, and deny, the multitude of other motions filed in the recent months.

## I. General background.

This case involves two records requests Lindell made last year to the Wisconsin Department of Corrections. On September 13, 2023, Lindell asked for body worn camera footage from several prison guards. Beahm Aff. ¶10, dkt. 18 (the record custodian's summary)<sup>1</sup> & Ex. 1002 (the custodian attaches a copy of Lindell's request). The next day, on September 14, 2023, Lindell asked for incident reports concerning himself. Beahm Aff. ¶5, dkt. 18 & Ex. 1000, dkt. 19 (the custodian attaches a copy of Lindell's request). Nobody disputes that DOC timely responded to, and largely denied, both requests by November 6, 2023.

In response to Lindell's first request, DOC refused to produce any camera footage. Here, in relevant part, is DOC's explanation why:

### DENIED ACCESS

#### Entire

#### Video - Body Worn Camera

Per Wis. Stat. § 19.35(1)(am)2.c., the security in state correctional institutions is explicitly recognized under the public records law as being an overriding public interest and is sufficient to justify limited access or non-access to a recording. Here, the department's security concerns are based in large part on the video recording which you have requested could be disseminated or shown to the general public. The video recording of the requested subject matter was taken by our Body camera system. The safety of staff and inmates, the rehabilitation of inmates and the orderly and secure administration of the prisons justifies the denial of access to the requested video recording. Under the circumstances, the public interest in protecting the safety of inmates and staff outweighs your interest in access to these materials.

Beahm Aff. Ex. 1003, dkt. 22. In response to Lindell's second request (seeking reports about

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<sup>1</sup> The Court's writ of mandamus commanded both Terri Rees and Robert Beahm to produce responsive records. This was because Lindell's petition implies that Rees serves the DOC while Beahm serves the Columbia Correctional Institution. Beahm says he is employed as "the Offender Records Supervisor for the Wisconsin Department of Corrections." Beahm Aff. ¶1, dkt. 18. Beahm has primarily responded to the writ and Lindell does not object.

Lindell) DOC provided redacted copies of a few reports. DOC concluded those redactions were necessary under § 19.35(1)(am)2.d., which limits the public records laws' application where releasing records would compromise a prisoner's rehabilitation, and DOC further concluded redactions were necessary under the public policy balancing test in § 19.35(1)(a). Here, in relevant part, is DOC's explanation of the public policy reasons for redacting records:

Additionally, per the Wis. Stat. §19.35(1)(a) balancing test, PREA<sup>2</sup> screening score information is not disclosed. I have determined that the disclosure of score information would compromise the integrity and reliability of the PREA screening. In addition, the release of the scoring information could permit individuals to manipulate the results, which can cause harm to the public and its interest. Under these circumstances, ensuring the integrity of the PREA screening process by withholding the screening score information is far greater than your interest in accessing the information in question.

Beahm Aff. Ex. 1001, dkt. 20 (footnote added).

Unsatisfied with these responses, Lindell then petitioned for mandamus relief. On April 17, 2024, I issued a writ of mandamus commanding the records custodians to produce records responsive to Lindell's records requests. Dkt. 4. The parties submitted briefing on the mandamus petition and I then reviewed *in camera* the records, which principally consisted of video footage from body-worn cameras. *See State ex rel. Youmans v. Owens*, 28 Wis. 2d 672, 682, 137 N.W.2d 470 (1965) (describing the use of *in camera* review in public records cases).

Following my review of the records and the parties' briefing, on June 2, 2025, I ordered the respondents "to produce redacted versions of the body-worn camera recordings" Lindell had sought. The next day, June 3, 2025, I detailed the specific redactions the respondents should make in a written order memorializing the oral ruling. Dkt. 142. My order allowed the respondents to redact large parts of the recording to ensure institutional security. That included any footage from

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<sup>2</sup> PREA refers to the Prison Rape Elimination Act, 42 U.S.C. § 15601 et seq.

any “private area of the prison,” or that depicted any “methods the prison uses to transport prisoners,” especially including any “after-hours prisoner transportation.” *Id.* On the other hand, the respondents failed to show some parts of the recordings had any relevance to institutional security. Because the respondents did not meet their burden to explain why redaction was necessary, I ordered them to produce those parts of the video that depict Lindell “in a prison common area which is surely well-known to the prisoners” and parts of “an interview with Lindell, who is seated in his cell.” Dkt. 142:2.

**II. The respondents’ motion for reconsideration is denied.**

**A. A party seeking reconsideration must show a manifest error.**

The respondents did not comply with the order to produce records. Instead, they have continued to offer novel and shifting theories to try and meet their burden to show they properly withheld public records. On July 25, 2025, the respondents moved for reconsideration. Most recently, on November 14, 2025, the respondents filed a “second amended submission for in camera review,” dkt. 228, as well as a “supplemental brief regarding redactions and reconsideration.” Dkt. 233. Notably, the respondents now concede that they should have released records to Lindell that contain “a PREA victim’s investigatory statement” and that the respondents’ withholding of those records “was not consistent with a previous release of relevant records to Lindell ....” *Id.* at 2.

I liberally construe the respondents’ July 25, 2025, briefing together with the November 14, 2025, supplemental briefing as a motion for common law reconsideration of my oral ruling requiring the respondents to produce redacted records.

[A] circuit court possesses inherent discretion to entertain motions to reconsider “nonfinal” pre-trial rulings. To succeed, a reconsideration movant

must either present newly discovered evidence or establish a manifest error of law or fact.

Newly discovered evidence is not new evidence that could have been [submitted earlier]. Similarly, a “manifest error” must be more than disappointment or umbrage with the ruling; it requires a heightened showing of wholesale disregard, misapplication, or failure to recognize controlling precedent. Simply stated, a motion for reconsideration is not a vehicle for making new arguments or submitting new evidentiary materials that could have been submitted earlier after the court has decided a motion ....

*Bauer v. Wisconsin Energy Corp.*, 2022 WI 11, ¶¶13-14, 400 Wis. 2d 592, 970 N.W.2d 243.

(citations, some quotation marks, and original alterations omitted).

**B. The respondents fail to show any manifest error.**

The respondents contend I committed a manifest error in two ways. First, they say I committed a manifest error by ordering records that contain PREA interviews because that kind of information “would endanger the security of the population in the institution.” First Mot. for Reconsideration, dkt. 175:5. The only evidence offered in support of this assertion is the testimony of Leigha Weber. *Id.* (citing First Weber Dec., ¶¶22-28, dkt. 166). As noted, however, Weber has since amended her testimony. She now concedes that she has already “released the [relevant records] to Lindell ... without redaction of the alleged victim’s investigatory statements.” Second Weber Dec., ¶14, dkt. 227. Weber does not explain this further but, at a minimum, I am satisfied that I will not endanger the security of any institution by ordering DOC to produce records that Weber has *already given* Lindell in an unredacted form. This is not a manifest error that warrants reconsideration.

The respondents’ second argument focuses on the video footage. They argue that, even considering only those limited parts of the video that show Lindell seated in his own cell, disclosure would still be a manifest error because it will jeopardize institutional security. That

jeopardy arises because a person could “infer ways to circumvent the recording capacities of this equipment.” First Mot. for Reconsideration, dkt. 175:7. This argument is not convincing because the respondents do not support it with evidence. They cite only the testimony of a Robert Rymarkiewicz, who opines, unremarkably, that “[v]ideo footage demonstrates information about both the abilities and the limitations of surveillance and other cameras ....” *Id.* (citing Rymarkiewicz Dec., ¶7, dkt. 124). This is undoubtedly true. For example, if the cameras simply did not function at all, then a prisoner would learn “information about the limitations of cameras.” What is missing, however, is some evidence to connect the specific kind of information that will be disclosed with any kind of institutional concern. The respondents have never produced that evidence, so they do not show it was manifest error to order the release of heavily-redacted excerpts of video footage.

**III. All of the other various motions are denied.**

In the months following the June 2, 2025, order to release records, Lindell and other persons affiliated with Lindell have filed numerous other motions. I deny each motion without a hearing for the following reasons.

On July 1, 2025, Lindell moved for reconsideration. He says I committed manifest error because, based on his review of the transcripts of the June 2 hearing, “the defendants were afforded *ten* pages of transcript time to speak, while [Lindell] was only afforded *seven* pages ....” Lindell First Mot., dkt. 162:1-2 (emphasis in original). I deny Lindell’s motion for reconsideration because he does not develop an argument supported by citation to legal authority in support of the proposition that pages of transcript time matter.

On July 15, 2025, Lindell moved to prevent the respondents from “concoct[ing] additional or expanded excuses for denying the records or redacting the portions of them.” Lindell Second

Mot., dkt. 172:2. I deny Lindell's motion as moot because I have already determined that the respondents may not provide additional reasons in support of their decision to withhold responsive records.

On August 7, 2025, Lindell moved for additional time to file a brief in opposition to the respondents' motion for reconsideration. Lindell Third Mot., dkt. 180. I express no opinion about this motion except that I may deny it as moot because I have already denied the respondents' motion that Lindell sought to oppose.

On August 28, 2025, Lindell filed what appears to be a supplemental authority in opposition to the respondents' motion for reconsideration. Lindell Fourth Mot., dkt. 193. I again express no opinion about this motion except that I may deny it as moot because I have already denied the respondents' motion that Lindell sought to oppose.

On September 16, 2025, Lindell moved for relief pending appeal. Lindell Fifth Mot., dkt. 196. I deny this motion because, based on my review of the record, Lindell has not appealed.

On October 1, 2025, Lindell moved to sanction the respondents under Wis. Stat. § 802.05. Lindell Sixth Mot., dkt. 204. A sanctions motion "shall not be filed with or presented to the court unless" served twenty-one days in advance on the other party. Wis. Stat. § 802.05(3)(a)1. I deny Lindell's sanctions motion because he fails to provide evidence that he complied with this "safe harbor" provision of the sanctions procedure.

On October 15, 2025, a person named Brianna Burton moved to intervene under Wis. Stat. § 803.09(1). Burton First Mot., dkt. 209. Burton then filed an amended motion on November 3, 2025. Burton Amend. Mot., dkt. 219. As Burton acknowledges in her amended motion, the first element of intervention requires "that the movant's motion to intervene is timely." *Helgeland v. Wisconsin Muns.*, 2008 WI 9, ¶38, 307 Wis. 2d 1, 745 N.W.2d 1. I express no opinion about

whether Burton may have some other remedy based on the contentions in her papers; I deny her motion to intervene because she fails to develop an argument supported by citation to legal authority to explain why her intervention, more than a year after this matter commenced, was timely.

On October 20, 2025, Lindell moved for relief under Wis. Stat. § 809.15 to correct a technical error that resulted in the destruction of part of the transcript of a hearing. Lindell Seventh Mot., dkt. 213. I deny this motion as moot because, having recognized the destruction of that part of the transcript, the Court has already re-created the hearing.

On December 2, 2025, and again on December 9, 2025, Lindell wrote the Court letters to criticize the respondents' motion briefing. Lindell Eighth Mot., dkt. 237-238. Lindell seeks an order that will "acknowledge" inconsistencies in evidence provided by the respondent as well as other forms of relief that appear to entirely overlap with the writ of mandamus I have already issued. Dkt. 238:2. Liberally construing these letters as motions, I deny each because Lindell fails to develop an argument supported by citation to legal authority for the relief he seeks which, in any event, appears to be largely moot.

#### ORDER

For the reasons stated,

IT IS ORDERED that the Respondents' motion for reconsideration of the June 2, 2025, oral ruling commanding them to produce records, is denied.

IT IS FURTHER ORDERED that all other pending motions are denied.

This is a final order for purpose of appeal. Wis. Stat. § 808.03(1).

BY THE COURT:

DATE SIGNED: June 3, 2025

Electronically signed by Judge Everett D. Mitchell  
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH 4

DANE COUNTY

STATE OF WISCONSIN ex rel.  
NATE A. LINDELL,

Petitioner,

v.

Case No. 2024-CV-1066

TERRI REES, et al.,

Respondents.

**MANDAMUS ORDER, IN PART**

In this public records case, Nate Lindell seeks recordings of body-worn cameras related to his detention for an alleged sexual assault on August 11, 2023. On June 2, 2025, the Court heard oral arguments and then ordered the Respondents to produce redacted versions of the body-worn camera recordings. The purpose of this order is to reduce, in part, the Court's order to writing to facilitate the Respondents' redaction.

**Bates Number 56 – the body-worn camera of Laturi.**

From 9:16:00 p.m. until 9:18:55 p.m., the camera shows corrections officers restraining and escorting a prisoner in a private area of the prison. Out of an abundance of caution, this section

should be redacted to ensure prisoners do not learn about the specific and perhaps secret methods the prison uses to transport prisoners. Everything after 9:41:10 should be redacted for the same reasons. The interview from 9:18:55 p.m. until 9:41:10 p.m., during which the subject is seated, is conducted in a prison common area which is surely well-known to the prisoners. This portion must be released to the requester.

**Bates Number 57 – the body-worn camera of Lange**

Same redactions. Only the interview from 9:18:55 p.m. until 9:41:10 p.m. should be released; the remainder should be redacted.

**Bates Number 58 – the body-worn camera of Zenk**

This footage is from later in the evening. The parts from 10:20:26 p.m. until 10:31:49 p.m. depict an interview with Lindell, who is seated in his cell. Everything after 10:31:49 p.m. should be redacted because, once again, these parts of the video depict after-hours prisoner transportation, knowledge of which might impair institutional safety.

IT IS ORDERED that the, consistent with this order and for the reasons stated on the record at the June 2, 2025, hearing, the Respondents shall redact the body-worn camera recordings and produce the remaining part to the requester.

**This is NOT a final order for purpose of appeal.**