NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted July 24, 2023*
Decided July 24, 2023

Before

ILANA DIAMOND ROVNER, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

JOHN Z. LEE, *Circuit Judge*

No. 23-1488

JEFFREY E. OLSON,
Plaintiff-Appellant,

v.

J. DINSE, et al.,
Defendants-Appellees.

Appeal from the United States District Court for the Western District of Wisconsin.

No. 22-cv-673-jdp

James D. Peterson,
Chief Judge.

O R D E R

Jeffrey Olson, a Wisconsin prisoner, asked his prison's business office to draw upon his inmate trust-fund account to pay a state-court filing fee. But the business office balked, requiring Olson first to submit a court document that verified the filing fee

* The appellees were not served with process and are not participating in this appeal. We have agreed to decide the case without oral argument because the brief and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

owed. Olson in turn sued prison staff members for violating his right to access the courts. *See* 42 U.S.C. § 1983. The district court screened the complaint under 28 U.S.C. § 1915(e)(2) and § 1915A and dismissed it for failure to state a claim. We affirm.

As he set forth in his complaint, Olson encountered a roadblock when he tried to file a lawsuit in Wisconsin state court. (Olson did not allege any facts about the lawsuit itself except that it was a mandamus action about the "canteen.") To pay the full $164.50 filing fee in that case, Olson asked his prison's business office to have funds disbursed from his inmate account. Olson received a letter (which he attached to his complaint) from J. Dinse in the prison's business office, directing him to provide "a copy of the court document that states you have a partial filing fee owed of $164.50." Dinse explained that she needed to verify that Olson had a filing fee due and in what amount.

Olson believed that Dinse's letter was an attempt to censor him and violate his constitutional right to access the courts. He sued Dinse, as well as another employee of the prison's business office, the prison's warden, and Wisconsin's Secretary of Corrections, alleging that they implemented an unconstitutional rule that requires inmates like himself to submit legal filings to prison administrators for "review and possible censorship" before funds will be disbursed to pay a filing fee.

The district court dismissed Olson's suit at screening because Olson's complaint did not state a claim. The court concluded that the contents of Dinse's letter contradicted the allegations in Olson's complaint. That is, Dinse did not ask to censor or review Olson's filings as a condition of disbursing funds; rather, she wanted merely to verify the existence and amount of the filing fee.

On appeal, Olson challenges the district court's decision to dismiss his complaint with prejudice and not allow him an opportunity to amend. In his appellate brief, he proposes that, if allowed, he would amend the complaint to allege that Dinse obstructed his access to the courts by not disbursing funds until he produced a court document that he now says was unavailable to him. Olson asserts that a state-court employee told him that he had not provided the requisite documents—which included a notarized affidavit of indigency—to receive the requested court order. Olson is not indigent and alleges that he could be penalized for submitting the notarized affidavit of indigency.

But the proposed amendment would not help Olson state a claim of denial of access to the courts against the defendants. To state such a claim, Olson needed to "spell out, in minimal detail, the connection between the alleged denial of access to legal materials and an inability to pursue a legitimate challenge to a conviction, sentence, or

prison conditions." *Marshall v. Knight*, 445 F.3d 965, 968 (7th Cir. 2006) (citing *Lewis v. Casey*, 518 U.S. 343, 355 (1996)). The nature and description of the underlying challenge must be set forth in the complaint "just as if it were being independently pursued." *Christopher v. Harbury*, 536 U.S. 403, 417 (2002); *Rivera v. Monko*, 37 F.4th 909, 916 (3d Cir. 2022). In other words, Olson had to suggest how Dinse's refusal to disburse the filing fee prevented him from legitimately challenging what we presume to be conditions at the prison's canteen. But the problem is that, even with his proposed amendment, Olson says almost nothing about the underlying mandamus suit, much less plausibly allege that it is a legitimate challenge to prison conditions. The allegations merely allude to the "canteen" and say nothing else to suggest that his potential to prevail on the underlying claim is "more than hope." *Christopher*, 536 U.S. at 416. Olson's barebones description of the underlying mandamus claim thus falls short of what is required to state a claim of denial of access to the courts.

We therefore will not upset the district court's dismissal with prejudice. But we repeat that, in general, our precedent requires district courts to give pro se litigants at least one chance to file an amended complaint before dismissing a case with prejudice. *See Zimmerman v. Bornick*, 25 F.4th 491, 492 (7th Cir. 2022).

AFFIRMED