

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	AMY J. ST. EVE	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	12 C 9274	DATE	1/3/2013
CASE TITLE	Donald M. Woods (#18900-424) vs. United States of America		

DOCKET ENTRY TEXT:

Petitioner-Defendant's motion for leave to proceed *in forma pauperis* [#7] is granted. The Court authorizes and orders the trust fund officer at Petitioner's place of incarceration to deduct \$58.00 from Petitioner's account for payment to the Clerk of Court as an initial partial filing fee, and to continue making monthly deductions in accordance with this order. The Clerk is directed to send a copy of this order to the trust fund officer at the Mendota Federal Correctional Institution. The Government is directed to respond to the petition for a writ of mandamus by February 4, 2013. Any reply from Petitioner is due by February 25, 2013. The Court will rule on the mandamus petition by mail. **Petitioner is once again reminded that he is required to provide the Court with the original plus a judge's copy of every document filed.**

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Petitioner-Defendant, a federal prisoner, has brought this *pro se* mandamus action purportedly pursuant to 28 U.S.C. § 1361. Petitioner seeks an order vacating a warrant of attachment previously obtained by the U.S. Government in connection with one of Petitioner's criminal cases. *See United States v. Noel, et al.*, Case No. 06 CR 0561-2 (N.D. Ill.); *United States v. Woods*, Case No. 06 CR 0566 (N.D. Ill.).

Petitioner's motion for leave to proceed *in forma pauperis* is granted. Pursuant to 28 U.S.C. § 1915(b)(1), Petitioner is assessed an initial partial filing fee of \$58.00. The trust fund officer at Petitioner's place of incarceration is authorized and ordered to collect the partial filing fee from Petitioner's trust fund account and pay it directly to the Clerk of Court. After payment of the initial partial filing fee, Petitioner's trust fund officer is directed to collect monthly payments from Petitioner's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments shall be forwarded to the Clerk of Court each time the amount in the account exceeds \$10 until the full \$350 filing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify Petitioner's name and this case number. This payment obligation will follow Petitioner wherever he may be transferred.

(CONTINUED)

mjm

STATEMENT (continued)

Petitioner seems to contend that his delivery of an attachment bond has obviated the need for a writ of execution that the Government purportedly obtained in April 2008. *See* Petition, p. 2, ¶ 5. The Government is directed to respond to the petition for a writ of mandamus by February 4, 2013. Any reply from Petitioner is due by February 25, 2013. The Court will rule on the petition by mail.

Petitioner is instructed to file all future papers concerning this action with the Clerk of Court in care of the Prisoner Correspondent. **Petitioner is once again reminded that he must provide the Court with the original plus a complete judge's copy, including any exhibits, of every document filed.** In addition, Petitioner must send an exact copy of any court filing to the Government. Every document filed with the Court must include a certificate of service stating to whom exact copies were mailed and the date of mailing. Any paper that is sent directly to the judge or that otherwise fails to comply with these instructions may be disregarded by the Court or returned to Petitioner.