

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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ROBERT MADDEN,

Plaintiff,

-vs-

Case No. 13-CV-549

DR. ENRIQUE LUY, UW MADISON HOSPITAL,  
and WISCONSIN DEPARTMENT OF CORRECTIONS,

Defendants.

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**ORDER**

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The plaintiff, Robert Madden, who is proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 along with a petition to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. By order dated May 17, 2013, the plaintiff was ordered to forward to the Clerk of Court by June 7, 2013, the sum of \$17.63 as an initial partial filing fee in this action. The plaintiff was advised that, upon payment of this fee, the court would determine whether the action can proceed *in forma pauperis*. To date the plaintiff has not paid this partial filing fee. From this failure to pay the initial filing fee this court infers that the plaintiff no longer wants to prosecute this action.

**NOW, THEREFORE, IT IS ORDERED** that this action be and hereby is dismissed without prejudice for failure to prosecute.

**IT IS ALSO ORDERED** that a copy of this order be sent to the warden of the institution where the inmate is confined.

Dated at Milwaukee, Wisconsin, this 21st day of June, 2013.

**SO ORDERED,**



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**HON. RUDOLPH T. RANDA**  
**U. S. District Judge**