

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

JOHN J. CASTELLANO,

Plaintiff,

v.

REBECCA MAHIN and WISCONSIN
DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY
CORRECTIONS,

Defendants.

Case No. 17-CV-598-JPS

ORDER

On May 9, 2017, the consistent with the requirements of the *in forma pauperis* statute, 28 U.S.C. § 1915(b), the Court ordered Plaintiff to pay an initial partial filing fee (“IPFF”) of \$1.35. (Docket #7). On May 16, 2017, Plaintiff filed a motion for leave to use stamped envelopes as a substitute for actual currency to pay that amount. (Docket #8). The Court must deny the motion.¹ The IPFF requirement is the same in every prisoner-filed civil action and must be applied to everyone equally. Further, the method for calculating the IPFF is fair; the equation is set by Section 1915(b), and the amount is set by applying that equation to Plaintiff’s trust account statement. Nevertheless, in light of Plaintiff’s circumstances, the Court will allow him an extended period in which to pay the IPFF. Plaintiff must pay

¹ Given the denial of Plaintiff’s motion, the Clerk’s Office is directed to return Plaintiff’s stamped envelopes when sending him a copy of this Order.

the \$1.35 IPFF in United States currency no later than **June 13, 2017**, or this action will be dismissed.²

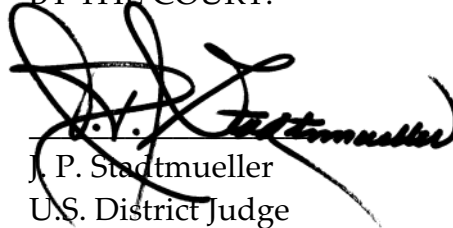
Accordingly,

IT IS ORDERED that Plaintiff's motion to use stamped envelopes to pay his IPFF (Docket #8) be and the same is hereby **DENIED**; and

IT IS FURTHER ORDERED that Plaintiff shall pay his IPFF on or before **June 13, 2017**.

Dated at Milwaukee, Wisconsin, this 18th day of May, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge

² Plaintiff may use his release account to pay the IPFF. *See, e.g., Doty v. Doyle*, 182 F.Supp.2d 750, 751 (E.D. Wis. 2002) (noting that “both the Wisconsin Prison Litigation Reform Act. . .and the federal Prison Litigation Reform Act [(“PLRA”)]. . .authorize the courts to order that. . .a prisoner's release account be made available [to pay an IPFF]”). The Court will not make that election for him, however.