

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ROSALYN CAMPBELL,

Petitioner,

Case No. 21-cv-1115-pp

v.

JENNIFER MCDERMOTT,

Respondent.

**ORDER DENYING PETITIONER'S MOTION FOR LEAVE TO PROCEED
WITHOUT PREPAYING FILING FEE (DKT. NO. 2)**

On September 24, 2021, the petitioner, who is incarcerated at Taycheedah Correctional Institution and is representing herself, filed a petition for writ of *habeas corpus* under 28 U.S.C. §2254 challenging her 2020 conviction for battery or threat to a judge, prosecutor or law enforcement officer and criminal damage to property. Dkt. No. 1 at 2; see also State v. Campbell, Milwaukee County Case No. 2020CF917 (available at <https://wcca.wicourts.gov>).

There is a \$5.00 fee for filing a *habeas* petition. 28 U.S.C. §1914(a). With her petition, the petitioner filed a request that the court allow her to proceed without prepaying that fee. Dkt. No. 2. The request indicates that the petitioner has no assets—no bank account, no retirement account, no investments, no real estate and no valuable other assets. Id. at 2. Five days later, the petitioner filed a trust account statement showing that as of August 27, 2021, she had an

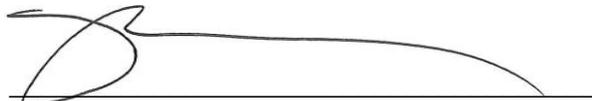
end balance of \$731 in her regular account and \$1,234.43 in her release account. Dkt. No. 4. The court cannot conclude that the petitioner is unable to pay the filing fee. If the petitioner wishes to proceed with her *habeas* petition, she must pay the filing fee in time for the court to receive it by the deadline the court sets below. If the court does not receive the filing fee by the deadline, the court will deny the petition and dismiss the case.

The court **DENIES** the petitioner's motion for leave to proceed without prepaying the filing fee. Dkt. No. 2.

The court **ORDERS** that the petitioner must pay the \$5.00 filing fee in time for the court to *receive* it by the end of the day on **June 3, 2022**. If the court does not receive the \$5.00 filing fee by the end of the day on June 3, 2022, the court will deny the petition and dismiss the case.

Dated in Milwaukee, Wisconsin this 6th day of May, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge