

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

**JESUS M. SIMMS, TOMMY T. BUSH,
MORNINGSTAR THOMAS,
WOODROW STALLINGS, JR.,
DENNISE WHITE, MICHAEL HOWARD,
AARON H. SCOTT, JAVIER MCCANTS,
THADOUS BEARD, DRESHAWN FREEMAN,
MYRIO ROGERS, BRANDON JONES,
JEROD BRUMFIELD, ANTHONY JOHNSON,
CHARLES ROBY, NOAH HUNTER,
CHRISTIAN CARDON, IROQUOIS REGAZZI,
VANN POPE, MARIO PATTILLO, and
CLIFFORD E. BENT,**

Plaintiffs,

v.

Case No. 22-CV-697

INSPECTOR DOBSON, *et al.*,

Defendants.

ORDER

On June 21, 2022, the court issued an order stating that any plaintiffs who filed a notice of withdrawal could be dismissed from this action without being assessed the statutory filing fee. (ECF No. 7.) If they wanted to proceed with the case, they needed to file a motion to proceed without prepayment of the filing fee, along with a certified trust account statement.

On July 25, 2022, plaintiff Thadous Levelle Beard, Jr. moved to proceed without prepayment of the filing fee. (ECF No. 39.) On July 27, 22, plaintiff Noah

Hunter also moved to proceed without prepayment of the filing fee. (ECF No. 44.) On September 7, 2022, the court ordered Beard to pay an initial partial filing fee of \$125.60 and Hunter to pay an initial partial filing fee of \$8.50 by October 7, 2022. (ECF Nos. 63, 64.) On October 5, 2022, Beard and Hunter paid their respective initial partial filing fees.

However, on September 29, 2022, Beard filed a motion to withdraw from the case, stating he was unaware of the opportunity to withdraw before a filing fee was assessed and that he wants to withdraw because some of the allegations in the complaint were initially unclear to him and he does not agree with them. (ECF No. 69.) On October 6, 2022, after paying the initial partial filing fee, Hunter filed a notice of withdrawal stating that he does not have the funds to proceed. (ECF No. 71.)

The court will allow both Beard and Hunter to withdraw and will direct the Court of Clerk to refund their respective initial partial filing fees.

IT IS THEREFORE ORDERED that Beard's motion to withdraw (ECF No. 69) is **GRANTED** and he is **DISMISSED**.

IT IS FURTHER ORDERED that Hunter is **DISMISSED** pursuant to his notices of withdrawal (ECF No. 71).

IT IS FURTHER ORDERED that the Clerk of Court's office refund Beard's initial partial filing fee of \$125.60 and Hunt's initial partial filing fee of \$8.50.

IT IS FURTHER ORDERED that copies of this order be sent to the Milwaukee County Sheriff and to Dennis Brand, 821 W. State Street, Room 224, Milwaukee, WI 53233.

Dated in Milwaukee, Wisconsin this 17th day of November, 2022.

BY THE COURT

A handwritten signature in black ink, appearing to read "William E. Duffin". The signature is fluid and cursive, with "William" and "E." on the first line and "Duffin" on the second line.

WILLIAM E. DUFFIN
United States Magistrate Judge