

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHARLES G. RUBEL,

Petitioner,

v.

PAM WALLACE, Warden CVCTF,
THOMAS KARLEN, Deputy Warden CVCTF,
JAMES GREER, Director of the Bureau of
Health Services Madison, REED RICHARDSON,
Captain CVCTF, SHARON ZUNKER, Title
Unknown Madison, COMPLAINT EXAMINERS,
ET AL., Involved in the Exhaustion of Administrative
Remedies and FERN SPRINGS, Doctor at CVCTF,

Respondents.

ORDER

08-cv-238-bbc

Petitioner Charles G. Rubel, a prisoner at the Chippewa Valley Correctional Treatment Facility in Chippewa Falls, Wisconsin, has submitted a proposed complaint. He requests leave to proceed in forma pauperis. A decision on the request will be delayed until petitioner pays an initial partial payment of the \$350 filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Petitioner's initial partial payment cannot be calculated at this time because he has not submitted a trust fund account

statement with his complaint.

Petitioner's complaint was submitted on April 21, 2008. His trust fund account statement should cover the six-month period beginning approximately October 21, 2007 and ending approximately April 21, 2008. Once petitioner has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under § 1915(e)(2).

ORDER

IT IS ORDERED that petitioner may have until May 16, 2008, in which to submit a trust fund account statement for the period beginning approximately October 21, 2007 and ending approximately April 21, 2008. If, by May 16, 2008, petitioner fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and, in that case, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 25th day of April, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge