

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

LEA N. WHITE,

Plaintiff,

ORDER

v.

09-cv-755-slc

STATE OF WI DEPT OF REVENUE,

Defendant.

This is a civil action in which plaintiff Lea N. White, who is proceeding pro se, alleges that defendant State of Wisconsin Department of Revenue violated her constitutional rights when she was not hired for a position she applied for with the defendant agency. Plaintiff has asked for leave to proceed *in forma pauperis* and has supported her request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff has three dependents. Her monthly income is \$2,485, which makes her annual income \$29,820. Plaintiff's balance comes to \$18,720 after subtracting \$3700 for each dependent. Because plaintiff's income falls in the \$16,000 to \$32,000 range, she must

prepay half the fees and costs. If plaintiff wishes to proceed with this action, she will have to pay \$175, which is half of the \$350 filing fee.

ORDER

IT IS ORDERED that plaintiff may have until January 11, 2010, in which to submit the \$175 prepayment of the filing fee for this lawsuit. If, by January 11, 2010, plaintiff fails to submit this prepayment, the clerk of court is directed to enter judgment dismissing this case without prejudice for plaintiff's failure to prosecute it.

Entered this 21st day of December, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge