

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

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JOYCE SUZANNE MURPHY,

Plaintiff,

v.

STATE OF WISCONSIN DEPT. OF JUSTICE,

Respondent.

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ORDER

10-cv-114-slc

Plaintiff has requested leave to proceed *in forma pauperis* in this civil action for monetary relief, brought under 42 U.S.C. § 1983. From the affidavit of indigency accompanying plaintiff's proposed complaint, I cannot determine whether she qualifies for indigent status.

Plaintiff indicates that she is separated from her husband, but under Wisconsin's marital property laws plaintiff's husband's income is considered to be plaintiff's as well. It does not appear that plaintiff has included her husband's income on the affidavit of indigency form she submitted to the court. If plaintiff wishes to proceed in this action *in forma pauperis*, she will have until April 16, 2010 to submit an amended affidavit of indigency that contains information from which I can determine her annual income. I am enclosing a blank affidavit of indigency form to plaintiff with this order.

ORDER

IT IS ORDERED that a decision whether plaintiff Joyce Murphy may proceed *in forma pauperis* in this action is STAYED. Plaintiff may have until April 16, 2010, in which to amend her affidavit of indigency and return it to the court. If, by April 16, 2010, plaintiff fails to

provide the requested financial information, I will deny her request for leave to proceed *in forma pauperis* for her failure to show that she is indigent.

Entered this 24<sup>th</sup> day of March, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge