

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

MARY M. KEOGEL FERTEL-RUST,

Plaintiff,

v.

THE BADGER BUS COMPANY and its
white male driver and white male passenger,

Defendants.

ORDER

10-cv-539-slc

This is a proposed civil action for monetary relief in which plaintiff Mary M. Koegel Fertel-Rust alleges that she was physically harmed by defendants white male driver and white male passenger on a Badger Bus traveling from Madison to Milwaukee. 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's monthly income is \$1,100 which makes her annual income \$13,200. Because plaintiff's income is less than \$16,000, she can proceed without any prepayment of fees or costs.

Accordingly, IT IS ORDERED that plaintiff's complaint is taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915 to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Plaintiff will be notified promptly when such a decision has been made. In the meantime, if plaintiff needs to communicate with the court about this case, she should be sure to write the case number shown above on her communication.

Entered this 23rd day of September, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge