

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

CHARLES WILLIAM HOOPER,

Plaintiff,

v.

KETTLE MORAINÉ CORRECTIONAL CENTER and
OFFICER MYERS,

Defendants.

ORDER

10-cv-743-slc

Plaintiff Charles Hooper, formerly an inmate at the Kettle Moraine Correctional Institution in Plymouth, Wisconsin, has submitted a proposed complaint. He asks for leave to proceed *in forma pauperis*, however the affidavit of indigency submitted with his complaint is incomplete. In another lawsuit in this court, *Hooper v. Juneau County Jail*, 10-cv-743-slc plaintiff submitted a signed affidavit, which the court will use for the purpose of determining whether plaintiff may proceed *in forma pauperis*. 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 is unemployed, has no income and does not own any vehicles or property. From plaintiff's affidavit I conclude that he qualifies for indigent status. Therefore, plaintiff may 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, he should be sure to write the case number shown above on his communication.

Entered this 7th day of January, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge