

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

LOREN L. LEISER, SR.,

Plaintiff,

v.

JEANNIE ANN VOEKS, RN,
DR. BRIAN J. BOHLMANN, DR. KENNETH ADLER,
DR. BRUCE GERLINGER, DR BRAUNSTEIN,
DR. JOAN M HANNULA, DAVE ROCK,
PAMELA WALLACE, BRADLEY HOMPE,
JOHN/JANE DOE(S) "Special Needs Committee" Members and
JANE/JOHN DOE(S)"Committee" approving surgical procedures,

Defendants.

ORDER

11-cv-328-slc

Plaintiff Loren Leiser, a prisoner at Stanley Correctional Institution in Stanley, Wisconsin, has submitted a proposed complaint. Plaintiff has neither paid the \$350 filing fee for filing a civil action nor submitted a request for leave to proceed *in forma pauperis*. Therefore, I construe his complaint to include a request for leave to proceed *in forma pauperis*. The court will delay its decision on the request until plaintiff 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. The court cannot yet calculate plaintiff's initial partial payment because he did not submit a trust fund account statement with his complaint.

Plaintiff filed his complaint on May 5, 2011. His trust fund account statement should cover the six-month period beginning near November 5, 2010 and ending around May 5, 2011. Once plaintiff 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 28 U.S.C. § 1915(e)(2). Plaintiff should show a copy of this order to jail officials to ensure that they are aware they should send a copy of plaintiff's six-month trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff Loren Leiser may have until May 31, 2011, in which to submit a certified copy of his trust fund account statement for the period beginning approximately November 5, 2010 and ending approximately May 5, 2011. If, by May 31, 2011 plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that event, the clerk of court is directed to close this case without prejudice to plaintiff's filing his case at a later date.

Entered this 11th day of May, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge