

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

TORRIE D. SMITH,

Plaintiff,

v.

EAU CLAIRE COUNTY JAIL,
TEROME THOMPSON,
EAU CLAIRE SHERIFF DPMT.,
ALL THE SGT. AND OFFICER THAT WORK
IN THE JAIL and LT. CHRISTIANSON,

Defendants.

ORDER

12-cv-955-wmc

Plaintiff Torrie Smith, an inmate at the Eau Claire County Jail in Eau Claire, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. Because plaintiff is detained, he is subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether he can proceed *in forma pauperis*, he will have to make an initial partial payment of the \$350 fee for filing this case. From the inmate account statement plaintiff has submitted, I calculate his initial partial payment to be \$16.17. Plaintiff should show a copy of this order to jail officials to insure that they are aware they should send plaintiff's initial partial payments to this court. Once plaintiff's payment has been received, his complaint will be taken under advisement for screening to 28 U.S.C. § 1915(e)(2) 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.

ORDER

IT IS ORDERED that plaintiff Torrie Smith is assessed \$16.17 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$16.17 on or before January 28, 2013. If, by January 28, 2013, plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 4th day of January, 2013.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge