

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

STEVEN MANTHIE,

Plaintiff,

v.

BENTLEY, J. and
STANLEY CORRECTIONAL INSTITUTION -
ADMINISTRATION,

Defendants.

ORDER

13-cv-206-wmc

In response to this court's March 28, 2013, order, plaintiff has submitted a complaint on a court-approved complaint form. Plaintiff has added the name Bentley, J. as a defendant and I have amended the case caption accordingly. In addition, plaintiff has submitted copies of his trust fund account statements for the six-month period preceding the filing of his complaint so that I can determine whether he qualifies for indigent status and, if he does, calculate an initial partial payment of the \$350 fee for filing this case.

From the trust fund account statements plaintiff has submitted, I calculate his initial partial payment to be \$10.95. Plaintiff is advised that he must pay the remainder of the fee in monthly installments even if his request for leave to proceed is denied. If plaintiff does not have the money to make the initial partial payment in his regular account, he will have to arrange with prison authorities to pay some or all of the assessment from his release account. This does not mean that plaintiff is free to ask prison authorities to pay *all* of his filing fee from his release account. The only amount plaintiff must pay at this time is the \$10.95 initial partial payment. Before prison officials take any portion of that amount from plaintiff's release account, they may first take from plaintiff's regular account whatever amount up to the full amount plaintiff owes.

Plaintiff should show a copy of this order to prison officials to insure that they are aware they should send plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that plaintiff Steven Manthie is assessed \$10.95 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 \$10.95 on or before May 3, 2013. If, by May 3, 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plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily.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 11th day of April, 2013.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge