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

ERIC RODRIGUEZ,

Plaintiff.

ORDER

v.

Case No. 14-cv-86-wmc

TIMOTHY HAINES, et al.

Defendants.

Plaintiff Eric Rodriguez, a prisoner incarcerated at the Waupun Correctional Institution in Waupun, Wisconsin, has filed a proposed civil complaint, but has neither paid the filing fee nor requested leave to proceed without prepayment. For this case to proceed, plaintiff must pay the \$400 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than April 2, 2014.

A motion for leave to proceed without prepayment of the filing fee must be accompanied by a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the date of the complaint. 28 U.S.C. § 1915(a)(2). If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

## **ORDER**

IT IS ORDERED that plaintiff Eric Rodriguez may have until April 2, 2014 to submit the \$400 filing fee or a motion for leave to proceed without prepayment and a trust fund

account statement for the period beginning approximately August 20, 2013 and ending approximately February 20, 2014. If, by April 2, 2014, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 11th day of March, 2014.

BY THE COURT:

/s/ PETER OPPENEER Magistrate Judge