

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

TERRY D. BRIGGS-MUHAMMAD,

Plaintiff,

v.

TONY EDBERG, MONICA MOEN AND
JOHN AND JANE DOES 1 THRU 5,

Defendants.

ORDER

Case No. 14-cv-175-wmc

Plaintiff Terry Briggs-Muhammad requests leave to proceed without prepayment of the filing fees in this civil action. From the affidavit of indigency accompanying plaintiff's proposed complaint, I cannot determine whether he qualifies for indigent status. Under Wisconsin's marital property laws, a spouse's income is considered to be plaintiff's as well. In this regard, plaintiff's affidavit of indigency is ambiguous and incomplete. Plaintiff has not answered the question, "Are you currently married?" on page 2 under the Personal Information Section. However, in another case in this court, plaintiff is listed as the spouse of the co-plaintiff.

Accordingly, plaintiff may have until March 28, 2014, to submit an amended affidavit of indigency that answers the question of whether he is married. He must also list his wife's actual gross monthly income from all sources for the last 12 months under Section II - Income. I am enclosing a blank affidavit of indigency form for plaintiff with this order.

ORDER

IT IS ORDERED that plaintiff may have until March 28, 2014, in which to amend his affidavit of indigency and return it to the court. If plaintiff fails to provide this requested

financial information in a timely fashion, then the court will deny his request for leave to proceed without prepaying the filing fee for failure to show that he is indigent.

Entered this 11th day of March, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge