

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

LLOYD T. SCHUENKE,

Petitioner,

v.

JUDY P. SMITH,

Respondent.

ORDER

Case No. 14-cv-276-wmc

Petitioner Lloyd T. Schuenke, seeks a federal writ of habeas corpus pursuant to 28 U.S.C. § 2241 to challenge the validity of his sentence. He has neither paid the \$5 filing fee nor requested leave to proceed without prepayment of fees in this habeas proceeding. For this case to move forward, petitioner must pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of fees no later than May 13, 2014. In the event that petitioner requests leave to proceed without prepayment of fees, he must submit a trust fund account statement for the six-month period immediately preceding the filing of his habeas corpus petition. *See* 28 U.S.C. § 1915(a)(2); *Longbehn v. United States*, 169 F.3d 1082 (7th Cir. 1999).

If petitioner does not submit either the \$5 payment or a motion for leave to proceed without prepayment of fees before May 13, 2014, the court will assume that he wishes to withdraw this action voluntarily and will dismiss the petition without further notice.

ORDER

IT IS ORDERED that:

1. No later than May 13, 2014, petitioner Lloyd T. Schuenke, shall pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of fees together with a certified copy of his inmate trust fund account statement for the six-month period from the date of the habeas petition (April 9, 2014 through at least September 9, 2013).

2. Petitioner is advised that, if he fails to comply as directed or show cause for his failure to do so, the court will assume that he does not wish to proceed and this case will be dismissed without further notice.

Entered this 21st day of April, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge