

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

HECTOR CIRINO,

Petitioner,

v.

L.C. WARD,

Respondent.

ORDER

Case No. 14-cv-452-jdp

Petitioner Hector Cirino seeks a writ of habeas corpus under 28 U.S.C. § 2241. Petitioner has neither paid the \$5 filing fee nor requested leave to proceed without prepayment of the filing fee. 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 the filing fee no later than July 18, 2014.

In the event that petitioner requests leave to proceed without prepayment of the filing fee, Petitioner 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). The federal *in forma pauperis* statute does not permit a court to waive a prisoner's entire obligation to pay filing fees, but it does allow a qualifying individual to proceed without prepaying some or all of the filing fee. To determine whether petitioner qualifies as indigent, any motion for leave to proceed without prepayment of the filing fee must include a certified copy of his inmate trust fund account statement (or institutional equivalent) for the six-month period beginning approximately December 19, 2013, through the date of his petition, June 19, 2014.

If petitioner does not submit either the \$5 payment or a motion for leave to proceed without prepayment of the filing fee before July 18, 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 no later than July 18, 2014 petitioner Hector Cirino shall pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee together with a certified copy of his inmate trust fund account statement for the six-month period from the date of the habeas petition (June 19, 2014 through at least December 19, 2013). If petitioner fails to comply as directed or show cause for his failure to do so, this case will be dismissed without further notice.

Entered this 23rd day of June, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge