

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

JOSE SOTO,

Plaintiff,

v.

ORDER

Case No. 14-cv-514-jdp

CO KELLY, CO GRANT, CO DONOVAN,
CO GEE, CO CROCKER, TRAVIS
BITTELMAN, DALIA SULIENE, DIANE
LANE, JANEL NICKEL, SGT. HEINECKE,
SGT. ROYCE, SGT. SIRELL, LORI ALSUM,
CAPTAIN RADTKE, CO WILEY,
CO LAFERVE, AND CAPTAIN MORGAN,

Defendants.

Plaintiff Jose Soto, a prisoner in the custody of the Wisconsin Department of Corrections, has filed a civil complaint alleging violations of his civil rights. Plaintiff requests leave to proceed without prepayment of the filing fee pursuant to 28 U.S.C. § 1915. To the extent plaintiff wishes to proceed without prepaying the filing fee, because he is incarcerated, he must comply with the Prisoner Litigation Reform Act (PLRA), which requires plaintiff to submit a certified copy of his inmate account statement (or institutional equivalent) for the six-month period immediately preceding the date of the complaint. 28 U.S.C. § 1915(a)(2). Plaintiff has failed to submit the necessary inmate account statement.

For this case to proceed, plaintiff must submit the certified account statement no later than August 14, 2014. If plaintiff is found to be 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. If plaintiff does not submit the six-month inmate account statement, I will assume that he wishes to withdraw this action voluntarily.

ORDER

IT IS ORDERED that plaintiff Jose Soto may have until August 14, 2014 to submit a trust fund account statement for the period beginning approximately January 23, 2014 and ending approximately July 23, 2014. If, by August 14, 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 28th day of July, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge