

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

TIMOTHY CROWLEY,

Plaintiff,

v.

STUN-TECH INC., et al.

Defendants.

ORDER

Case No. 15-cv-6-wmc

Plaintiff Timothy Crowley, a patient at the Mendota Mental Health Institute in Madison, Wisconsin, has filed a proposed civil complaint. Plaintiff has neither paid the filing fee nor requested leave to proceed without prepayment of the filing fee. Plaintiff's complaint indicates that he was recently confined at Green Bay Correctional Institution, so it is not clear if plaintiff is a presently a prisoner or a non-prisoner patient at the Mendota Mental Health Institute. Nevertheless, for this case to proceed, plaintiff must either pay the \$400 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than January 30, 2015.

A motion for leave to proceed without prepayment of the filing fee must be accompanied by a certified copy of plaintiff's resident 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 plaintiff was confined at any other institution during the six-month period immediately preceding the filing of this lawsuit, between July 1, 2014 and December 31, 2014, he must write to that institution to request a certified copy of his trust fund account statement for the relevant time period. If I find that plaintiff is indigent, I

will calculate an initial partial payment amount that plaintiff will have to prepay toward the filing fee.

ORDER

IT IS ORDERED that plaintiff Timothy Crowley may have until January 30, 2015 to submit the \$400 filing fee or a motion for leave to proceed without prepayment of the filing fee along with trust fund account statement(s) for the period beginning approximately July 1, 2014 and ending approximately December 31, 2014. If, by January 30, 2015, 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 7th day of January, 2015.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge