

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

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JOSEPH C. CLARK AND LAWERANCE N.  
DALTON,

Petitioners,

v.

WILLIAM POLLARD AND  
JANET NICKEL,

Respondents.

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ORDER

Case No. 15-cv-154-jdp

Petitioners Joseph C. Clark and Lawerance N. Dalton seek a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioners have neither paid the \$5 filing fee nor requested leave to proceed without prepayment of the filing fee. For this case to move forward, petitioners must pay a \$5 filing fee or each submit properly supported motions for leave to proceed without prepayment of the filing fee no later than April 3, 2015. In the event that petitioners request leave to proceed without prepayment, certified copy of petitioners' inmate trust fund account statements for the six-month period immediately preceding the filing of the habeas corpus petition must be submitted. 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 petitioners qualify as indigent, any motion for leave to proceed without prepayment of the filing fee must include a certified copy of an inmate trust fund account statement (or institutional equivalent) for the six-month period beginning approximately September 4, 2014 through the date of the petition, March 4, 2015.

If petitioners do not submit the \$5 payment or motions for leave to proceed without prepayment before April 3, 2015, I will assume that petitioners wish to withdraw this action voluntarily and will dismiss the petition without further notice.

ORDER

IT IS ORDERED that:

1. No later than April 3, 2015, petitioners Joseph C. Clark and Lawerance N. Dalton shall pay the \$5 filing fee or submit properly supported motions for leave to proceed without prepayment of the filing fee together with certified copies of petitioners' inmate trust fund account statements for the six-month period from the date of the habeas petition (March 4, 2015 through at least September 4, 2014).

2. If petitioners fail to pay the \$5 filing fee, comply as directed, or show cause for failure to do so, this case will be dismissed without further notice.

Entered this 17th day of March, 2015

BY THE COURT:

PETER OPPENEER  
Magistrate Judge