

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

SHANE GRESSEL,

Plaintiff,

v.

JAMES THORPE, HYGIENIST LOVELL,
KELLY TRUMM, MICHAEL MEISNER
AND KAREN ANDERSON,

Defendants.

ORDER

Case No. 15-cv-180-jdp

Plaintiff Shane Gressel, a prisoner in the custody of the Wisconsin Department of Corrections, has filed a proposed civil complaint. Plaintiff requests leave to proceed without prepayment of the filing fee. Plaintiff is a prisoner and, therefore, subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether plaintiff can proceed *in forma pauperis*, plaintiff will have to make an initial partial payment of the filing fee for this case. The initial partial payment cannot be calculated at this time because plaintiff has not submitted a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than April 10, 2015. If I find that plaintiff is 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.

ORDER

IT IS ORDERED that plaintiff Shane Gressel may have until April 10, 2015 to submit a trust fund account statement for the period beginning approximately September 18, 2014 and ending approximately March 18, 2015. If, by April 10, 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 19th day of March, 2015.

BY THE COURT:

/s/

PETER OPPENEER
Magistrate Judge