

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

DAVID CZAPIEWSKI, ANTHONY RIACH,
LARRY ANDREWS, MATTHEW REILLY,
DAVID THOMAS, MICHAEL CONNELLY,
JACOB DIETRICH, DONTRELL ANDERSON
AND WILLIAM ZIEMER,

ORDER

Case No. 15-cv-654-bbc

Plaintiffs,

v.

KURT THOMAS, KIETH FREY, JESSI
RHINES, JOHN DOE #1, JOHN DOE #2,
JOHN DOE #3, JOHN DOE #4 AND
JOHN DOE #5,

Defendants.

Plaintiffs David Czapiewski, Anthony Riach, Larry Andrews, Matthew Reilly, David Thomas, Michael Connely, Jacob Dietrich, Dontrell Anderson and William Ziemer, prisoners in the custody of the Wisconsin Department of Corrections, have submitted a proposed civil action under 42 U.S.C. § 1983. Plaintiffs have also filed a motion to pay a single filing fee in this case. Their motion is denied.

Although plaintiffs have joined their claims in one complaint, each is bringing an action subject to the Prisoner Litigation Reform Act (PLRA), and are obligated to pay the full fee for filing the action. *Boriboune v. Berge*, 381 F.3d 852, 856 (7th Cir. 2004). For this case to proceed, each 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 November 6, 2015.

A motion for leave to proceed without prepayment of the filing fee must be accompanied by a certified copy of each plaintiff's inmate 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 I find that a 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, that plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that,

1. Plaintiffs David Czapiewski, Anthony Riach, Larry Andrews, Matthew Reilly, David Thomas, Michael Connely, Jacob Dietrich, Dontrell Anderson and William Ziemer's motion to pay a single filing fee in this case is DENIED.

2. Each plaintiff may have until November 6, 2015 to submit the \$400 filing fee or a motion for leave to proceed without prepayment and a certified trust fund account statement for the period beginning approximately April 9, 2015 and ending approximately October 9, 2015. If, by November 6, 2015, any plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw from this action voluntarily.

Entered this 15th day of October, 2015.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge