

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

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JOHN KUSLITS AND DENNIS HESS,

Plaintiffs,

v.

PAULA STOUDT, CAPTAIN SCHACHT,  
CAPTAIN LUNDMARK AND REED  
RICHARDSON,

Defendants.

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ORDER

Case No. 15-cv-809-bbc

Plaintiffs John Kuslits and Dennis Hess, prisoners in the custody of the Wisconsin Department of Corrections, have submitted a proposed civil action under 42 U.S.C. § 1983. Although plaintiffs have joined their claims in one complaint, each is bringing an action subject to the Prisoner Litigation Reform Act (PLRA), and will be 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 a \$400 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than January 19, 2016.

A motion for leave to proceed without prepayment of the filing fee must be accompanied by a certified copy of the 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 plaintiffs John Kuslits and Dennis Hess may have until January 19, 2016 to each submit a \$400 filing fee or a motion for leave to proceed without prepayment and a trust fund account statement for the period beginning approximately June 14, 2015 and ending approximately December 14, 2015. If, by January 19, 2016, any plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw from this action voluntarily.

Entered this 28th day of December, 2015.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge