

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

EFRAIN CAMPOS, et al.,

Plaintiff,

v.

MICHAEL DITTMAN, et al.,

Defendants.

ORDER

Case No. 17-cv-545-jdp

Plaintiff Efrain Campos has submitted a certified inmate trust fund account statement for the six-month period preceding the complaint in support of his pending motion to proceed without prepayment of the filing fee.

The court must determine whether plaintiff Campos qualifies for indigent status and, if so, calculate an initial partial payment of the \$350 fee for filing this case.

In determining whether to allow a prisoner to proceed without prepayment, this court uses the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff Campos' trust fund account statement, I find that he does not qualify as indigent and must prepay the \$400 fee for commencing this action.

ORDER

IT IS ORDERED that:

I. Plaintiff Efrain Campos's motion to proceed without prepayment of the filing fee, dkt. 20, is DENIED.

2. Plaintiff Campos is to submit a check or money order made payable to the clerk of court in the amount of \$400 or advise the court in writing why he is not able to pay on or before August 23, 2017.

3. If by August 23, 2017, plaintiff Campos fails to pay the \$400 filing fee or show cause for failure to do so, he will be held to have withdrawn from this action voluntarily and he will be dismissed from the case.

Entered this 4th day of August, 2017.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge