

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

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LAMONTE ALTON EALY,

Plaintiff,

v.

DONALD STRAHOTA, et al.

Defendants.

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ORDER

Case No. 17-cv-717-wmc

LAMONTE ALTON EALY,

Plaintiff,

v.

DIANNE FLADHAMMER, et al.

Defendants.

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ORDER

Case No. 17-cv-718-wmc

Plaintiff Lamonte Alton Ealy, a prisoner in the custody of the Wisconsin Department of Corrections, has submitted two proposed civil actions under 42 U.S.C. § 1983. Plaintiff has filed a certified copy of a trust fund account statement in support of the motion for leave to proceed without prepaying the fee. After considering the motion and supporting documentation, the court concludes that plaintiff qualifies for indigent status.

Even when a prisoner litigant qualifies for indigent status, the litigant must pay a portion of the fee returned by the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff's trust fund account statement, I conclude plaintiff's initial partial filing fee for each case to be \$12.78. For these cases to proceed, plaintiff must submit this amount for each case (total \$25.56) on or before October 11, 2017.

If plaintiff does not have enough money to make the initial partial payments from plaintiff's regular account, plaintiff should arrange with authorities to pay the remainder from plaintiff's release account.

ORDER

IT IS ORDERED that,

1. Plaintiff Lamonte Alton Ealy is assessed \$12.78 as an initial partial payment of the \$350.00 fee for filing case 17-cv-717-wmc and \$12.78 as an initial partial payment of the \$350.00 fee for filing case 17-cv-718-wmc. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$12.78 for each case (total 25.56) or advise the court in writing why plaintiff is not able to submit the assessed amounts on or before October 11, 2017.

2 If, by October 11, 2017, plaintiff fails to make the initial partial payments or show cause for failure to do so, plaintiff will be held to have withdrawn that action voluntarily and the case(s) will be closed without prejudice to plaintiff filing this case at a later date.

3. No further action will be taken in this case until the clerk's office receives plaintiff's initial partial filing fees as directed above and the court has screened the complaints as required by the Prisoner Litigation Reform Act, 28 U.S.C. § 1915A. Once the screening process is complete, a separate order will issue.

Entered this 19th day of September, 2017.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge