

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

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PHILLIP CHOLKA,

Petitioner,  
v.

MICHAEL DITTMANN,

Respondent.

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ORDER

Case No. 17-cv-787-bbc

Petitioner Phillip Cholka seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has neither paid the \$5 filing fee nor requested leave to proceed without prepayment of the filing fee. For this case to move forward, petitioner must pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than November 7, 2017. Any motion for leave to proceed without prepayment of the filing fee must include a certified copy of an inmate trust fund account statement (or institutional equivalent) for the six-month period beginning approximately April 16, 2017 through the date of the petition, October 16, 2017.

ORDER

IT IS ORDERED that:

1. Petitioner Phillip Cholka may have until November 7, 2017, to pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee.

2. If petitioner does not submit either the \$5 payment or a motion for leave to proceed without prepayment before November 7, 2017, I will assume that petitioner wishes to withdraw this petition.

Entered this 16th day of October, 2017.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge