

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

HOWARD MAYFIELD,

Plaintiff,

v.

EMILY PEISSIG, et al

Defendants.

ORDER

Case No. 20-cv-269-bbc

In an order entered on March 25, 2020, plaintiff Howard Mayfield was told that before I could consider a request to proceed without prepayment of the filing fee, plaintiff would have to submit a trust fund account statement covering the six-month period preceding the filing of the complaint to determine if plaintiff qualifies for indigent status and if so, assess an initial partial payment of the \$350 filing fee. A decision regarding plaintiff's indigency status cannot be made at this time because the trust fund account statement submitted does not cover the *entire* six-month period immediately preceding the filing of the complaint.

Plaintiff has submitted a statement for January and February, 2020. This statement is insufficient to determine if plaintiff qualifies for indigent status. Instead, plaintiff must submit a certified copy of a trust fund account statement for the *entire* six-month period immediately preceding the filing of the complaint beginning approximately September 25, 2019 and ending approximately March 25, 2020. Once the necessary statement has been submitted, I will calculate the initial partial payment and advise plaintiff of the amount due before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that plaintiff Howard Mayfield may have an enlargement of time until April 15, 2020 to submit a certified trust fund account statement for the period beginning approximately September 25, 2019 and ending approximately March 25, 2020. If, by April 15, 2020, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 25th day of March, 2020.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge