

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

WILLIE M. WILLIAMS,

Petitioner,

v.

ORDER

98-C-443-C

GARY J. MAIER, M.D.,
JAMES D. YEADON, Supervisor,
and LINDA DeBOUCHE, Client
Rights Specialist,

Respondents.

WILLIE MITCHELL WILLIAMS,

Petitioner,

v.

98-C-793-C

LT. WEIER; WARDEN DANIEL R.
BERTRAND; LIBRARIAN KAREN JUCKEM;
SECURITY WARDEN J. JAEGER;
SGT. CHEVEC; and LT. RANK,

Respondents.

WILLIE WILLIAMS,
Inmate #192747,

Plaintiff,

v.

01-C-241-C

SGT. EVERS, C.O. BAUSCH,
and LINDA HODDY,

Defendants.

WILLIE WILLIAMS,

Petitioner,

v.

01-C-284-C

GERALD BERGE, JON LITSCHER,
JOHN RAY, KAREN GOULIE,
ELLEN K. RAY, JOHN SHARPE, BRAD
HOMPE and JULIE BIGGAR,

Respondents.

WILLIE WILLIAMS,

Plaintiff,

02-C-283-C

v.

WARDEN GERALD BERGE and
C.O. II H. BRAY

Defendants.

Plaintiff Willie Williams has submitted a document postmarked January 26, 2005, in which he complains that the business office at the Dodge Correctional Institution has collected more than 20% of a check he received in the amount of \$313.68 to pay his debts on a number of cases he filed under the 1996 Prison Litigation Reform Act. I construe plaintiff's submission as a motion for an order directing the clerk of court to return payments made on his filing fee debts that exceeded twenty percent of \$313.68. The motion will be denied.

In Newlin v. Helman, 123 F.3d 429, 436 (7th Cir. 1997) rev'd on other grounds by Lee v. Clinton, 209 F.3d 1025 (7th Cir. 2000) and Walker v. O'Brien, 216 F.3d 626 (7th Cir. 2000), the Court of Appeals for the Seventh Circuit interpreted the Prison Litigation Reform Act to require the prison to collect 20% of a prisoner's income for one suit filed

under the act, 40% for a suit and an appeal, and so on. “Five suits or appeals mean that the prisoner's entire monthly income must be turned over to the court until the fees have been paid. . . .” Id. Plaintiff appears to believe that the prison business office is not allowed to collect more than 20% of any one deposit made to his account, but that is incorrect. As Newlin teaches, 100% of a prisoner’s monthly income must be collected if the prisoner has filed five or more appeals. Plaintiff states in his motion that the \$313.68 check was divided to pay eight filing fee obligations he has incurred in past years. Because plaintiff Williams admits that he owes filing fees in at least eight cases, it was not improper for the business office to take all of his check to pay down his debts.

ORDER

IT IS ORDERED that plaintiff’s motion for an order directing the clerk of court to return payments made on his filing fees that exceeded twenty percent of his check for \$313.68 is DENIED.

Entered this 31st day of January, 2005.

BY THE COURT:

BARBARA B. CRABB
District Judge