

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

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MICHAEL A. GRINDEMANN,

Plaintiff,

v.

JON E. LITSCHER (Secretary of WI DOC),  
JANE GAMBLE (Warden KMCI)

Defendants.

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ORDER

02-C-0429-C

As directed in this court's order of March 21, 2003, plaintiff has submitted a certified copy of his trust fund account statement so that a determination may be made whether he is indigent for the purpose of proceeding on appeal in forma pauperis and if he is, what amount must be assessed under the 1996 Prison Litigation Reform Act as an initial partial payment of the fee for filing his appeal. (In the March 21 order, I found that plaintiff's appeal is not taken in bad faith and that he is not barred by the three strikes provision of 28 U.S.C. § 1915(g) from proceeding with his appeal in forma pauperis.)

From plaintiff's trust fund account statement, I conclude that he qualifies for indigent status. Further, I assess plaintiff an initial partial payment of the \$105 fee for filing his

appeal in the amount of \$15.91. This amount may be taken from plaintiff's release account if he does not have enough money in his regular account to pay the assessment.

IT IS ORDERED that plaintiff Michael Grindemann's request for leave to proceed in forma pauperis on appeal is GRANTED. Plaintiff may have until May 2, 2003, in which to submit a check or money order made payable to the clerk of court in the amount of \$15.91. If, by May 2, 2003, plaintiff fails to pay the initial partial payment or explain his failure to do so, then I will advise the court of appeals of his noncompliance in paying the assessment so that it may take whatever steps it deems appropriate with respect to this appeal.

Entered this 11th day of April, 2003.

BY THE COURT:

BARBARA B. CRABB  
District Judge