

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

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SCOTT A. HEIMERMANN,

Plaintiff,

v.

MINNCOR INDUSTRIES, PAUL ANDERSON,  
DENNIS BENSON, DANIEL A. FERRISE,  
FLOAT-RITE-PARK, JOHN GALZKI, LARRY  
LINDSTROM, JOHN MONTPETIT, ERIK  
SKON, JAMES SUTHERLAND and DOES 1-100,

Defendants.

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ORDER

02-C-426-C

This case was dismissed for lack of jurisdiction on November 21, 2002, after the court screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A and found plaintiff's allegations to be legally frivolous and fanciful. Plaintiff's motion to alter or amend the judgment was denied on December 3, 2002. Now plaintiff has filed a notice of appeal.

Plaintiff states that he is enclosing \$90 with his notice, but there was no money with his submission. In any event, he cannot proceed on appeal without paying the entire \$105 fee, because he has struck out under 28 U.S.C. § 1915(g). Plaintiff knows he has struck out. On August 30, 2002, this court denied him leave to proceed in forma pauperis in this action

on that very ground. Subsequently, plaintiff paid the \$150 filing fee. Now he owes \$105 for his appeal. If he fails to pay the fee on or before January 10, 2003, I will notify the court of appeals of that fact so that it may take whatever action it believes is appropriate with respect to plaintiff's appeal.

Entered this 26th day of December, 2002.

BY THE COURT:

BARBARA B. CRABB  
District Judge