

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

---

JAMES J. KAUFMAN,

Plaintiff,

ORDER

v.

03-C-0027-C

GARY R. McCAUGHTRY, SGT. McCARTHY,  
JAMES MUENCHOW, RENEE RONZANI,  
SANDY HAUTAMAKI, JOHN RAY,  
CYNTHIA O'DONNELL, and JAMYI WITCH,

Defendants.

---

As directed in this court's order of April 6, 2004, plaintiff James Kaufman 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 April 6 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 is qualifies for indigent status and that he presently has no means with which to pay an initial partial

payment of the \$255 fee for filing his appeal. Nevertheless, plaintiff should be aware that he is obligated to pay the \$255 filing fee, even if he does not presently have funds with which to do so. His account will be monitored and the fee must be taken in monthly installments when the funds exist.

ORDER

IT IS ORDERED that plaintiff's request for leave to proceed in forma pauperis on appeal is GRANTED.

Entered this 19th day of April, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge