

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

TITUS HENDERSON,

Plaintiff,

v.

ORDER

03-C-729-C

DAVID BELFUEL, in his individual and official capacity,
JEFFREY ENDICOTT, in his individual and official capacity,
SUZANNE DEHAAN, in her individual and official capacity,
SCOTT ECKSTEIN, in his individual capacity,
JANELLE PASKE, in her individual capacity,
DAVID TARR, in his individual capacity,
SANDRA HAUTAMAKI, in her individual capacity,
CINDY O'DONNELL, in her official capacity,
HERB DEHN, PAUL RUHLAND and JUDY
CHOJNASKI, KAREN LALONE and
TOWNSHIP OF REDGRANITE VILLAGE,

Defendants.

As directed in this court's order of September 8, 2005, plaintiff Titus Henderson 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 September 8 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. Further, I assess plaintiff an initial partial payment of the \$250 fee for filing his appeal in the amount of \$1.49.

IT IS ORDERED that plaintiff Titus Henderson's request for leave to proceed in forma pauperis on appeal is GRANTED. Plaintiff may have until October 14, 2005, in which to submit a check or money order made payable to the clerk of court in the amount of \$1.49. If, by October 14, 2005, 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 22nd day of September, 2005.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge