

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

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DATHAN BEAN,

Plaintiff,

v.

SANDRA HAUTAMAKI, JEFFREY P.  
ENDICOTT and KELLY MUESKI,

Respondents.  
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ORDER

04-C-447-X

In an entered on October 13, 2005, I directed plaintiff to submit a trust fund account statement as required by 28 U.S.C. § 1915(a)(2) to support his request for leave to proceed in forma pauperis on appeal. I told plaintiff that if, by November 3, 2005, he failed to submit the trust fund account statement, his request for leave to proceed would be denied for his failure to show that he is entitled to indigent status on appeal. Plaintiff did not submit the required trust fund account statement. However, the reason he has not responded to this court's order appears obvious. He has not received it. The order, which was addressed to plaintiff at his last known address, the Redgranite Correctional Institution in Redgranite, Wisconsin, has been returned to the court marked, "Attempted, Not Known."

Now the court has learned that plaintiff was transferred to the Milwaukee Secure Detention Facility.

Because plaintiff appears to have been in transport when the court entered its order requiring submission of a trust fund account statement, I will extend the time within which the statement is due. Plaintiff should be aware that it will not be sufficient for him to submit a trust fund account statement from the Milwaukee Secure Detention Facility. He will have to write to the Redgranite Correctional Institution to obtain a statement covering the period beginning approximately April 13, 2005 and ending approximately October 13, 2005.<sup>1</sup>

IT IS ORDERED that plaintiff may have until December 5, 2005, in which to submit a trust fund account statement for the period beginning approximately April 13, 2005 and ending approximately October 13, 2005. If, by December 5, 2005, plaintiff fails to submit the required trust fund account statement or show cause for his failure to do so, then I will deny his request for leave to proceed in forma pauperis on the ground that he has failed to

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<sup>1</sup>The October 13 order directed plaintiff to submit a statement beginning approximately May 1, 2005 and ending approximately November 1, 2005. Because it appears that plaintiff was traveling to his new destination during the last part of October, I have adjusted the dates so that he can obtain one statement covering the full six-month period from the Redgranite Institution.

show that he is entitled to indigent status on appeal.

Entered this 7th day of November, 2005.

BY THE COURT:

/s/

STEPHEN L. CROCKER

Magistrate Judge