

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

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LEONARD A. CHAMBERLAIN,

Petitioner,

v.

MARATHON COUNTY JAIL  
and CAROLE LUEDTKE,

Respondents.  
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ORDER

04-C-698-C

Petitioner Leonard Chamberlain, a prisoner at the Marathon County Jail in Wausau, Wisconsin, has submitted a proposed complaint. He requests leave to proceed in forma pauperis. A decision on the request will be delayed until petitioner pays an initial partial payment of the filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Petitioner's initial partial payment cannot be calculated at this time because the "Inmate Monetary Transactions List" he submitted with his complaint does not cover the full six-month period immediately preceding the filing of his complaint.

Petitioner's complaint was submitted on September 13, 2004. His financial account statement should cover the period beginning approximately March 10, 2004 and ending

approximately September 10, 2004. Instead, it covers two days in April, three days in May, two days in August and two days in September, 2004. It is possible that petitioner has been in and out of jail and that the entries for the few days listed above are the only days that petitioner was incarcerated in the past six months. If this is true, then petitioner will have to advise the court of that fact. Otherwise, he will have to arrange with the financial officer at the jail to obtain a certified copy of his trust fund account statement for the period of his incarceration in the six-month period beginning March 10, 2004 and ending September 10, 2004.

#### ORDER

IT IS ORDERED that petitioner may have until October 22, 2004, in which to submit a certified trust fund account statement for the period beginning March 10, 2004 and ending September 10, 2004. If, by October 22, 2004, petitioner fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and the clerk

of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 30th day of September, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge