

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

DANIEL RAMIREZ,

Petitioner,

v.

UNITED STATES OF AMERICA,
HARLEY G. LAPPIN, Director,
Federal Bureau of Prisons,

Respondents.

ORDER

05-C-312-C

Petitioner Daniel Ramirez, a prisoner at the Federal Prison Camp in Oxford, Wisconsin, filed a proposed action in the Southern District of Florida, Miami Division, which has been transferred to this court. From the court's record, it appears that petitioner has neither paid the \$250 fee for filing a Bivens action or requested pauper status under 28 U.S.C. § 1915. However, because he has not paid the filing fee, I will assume that he wishes 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 he did not submit a trust fund account statement with his complaint covering

the six-month period immediately preceding the filing of his complaint.

Petitioner's complaint was submitted in the Florida court on April 22, 2005. His trust fund account statement should cover the period beginning approximately October 22, 2004 and ending approximately April 22, 2005.

ORDER

IT IS ORDERED that petitioner may have until June 24, 2005, in which to submit a trust fund account statement for the period beginning October 22, 2004 and ending April 22, 2005. If, by June 24, 2005, petitioner fails to respond to this order, I will assume that he no longer wishes to prosecute this action 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 3rd day of June, 2005.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge