

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

WILLIAM P. COOKE,

Petitioner,

v.

"SCANNER DAN"

ORDER
05-C-321-S

Respondent.

Petitioner requests leave to proceed in forma pauperis. Attached to his affidavit of indigency is a proposed complaint.

The allegations in petitioner's complaint are unclear. He concludes that his rights have been violated but does not allege any facts to support his conclusion. Further, he does not allege that the respondent was acting under color of state law which is a required allegation for a suit under 42 U.S.C. § 1983.

Petitioner has not alleged any facts that support a claim under federal law. Accordingly, petitioner's request to proceed in forma pauperis will be dismissed and denied without prejudice.

Petitioner is advised that in any future proceedings in this matter he must offer argument not cumulative of that already provided to undermine this Court's conclusion that his claim must be dismissed. See Newlin v. Helman, 123 F.3d 429, 433 (7th Cir. 1997).

Cooke v. "Scanner Dan", 05-C-321-S

ORDER

IT IS ORDERED that petitioner's request to proceed in forma pauperis is DENIED and DISMISSED without prejudice.

Entered this 2nd day of June, 2005.

BY THE COURT:

/s/

JOHN C. SHABAZ
District Judge