

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD L. GASSER,

Defendant.

MEMORANDUM

05-CR-0171-C-01
07-C-0416-C

In an order entered on September 13, 2007, I found that defendant was not entitled to either a certificate of appealability or *in forma pauperis* status on appeal. On October 1, 2007, defendant filed a document titled “Non-Negotiable Notice of Acceptance - Notice of Tender” in which he informs the clerk of court that he is exempt from levy, that the United States is operating in bankruptcy and that he is accepting “for value” the court’s offer for the \$450 docketing fee and the \$5 notice of appeal filing fee. He goes on to say that he is returning the offer for value with the document “as consideration in exchange for settlement and closure of account(s) in accord with House Joint Resolution 192 of 1933 and UCC-104.”

The clerk of court is not authorized to accept defendant's "presentment" as consideration in exchange for payment of the appellate docketing fee or appeal filing fee. If defendant wishes to appeal from this court's August 3, 2007 order denying his motion for post-conviction relief, he will have to find another source of funds for the court fees.

Entered this 3d day of October, 2007.

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