

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

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MICHAEL YOUNG,

Petitioner,

v.

ORDER  
06-C-317-S

CHRISTINA T. O'BRIEN,

Respondent.

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

Petitioner alleges that defendant Christina T. O'Brien, a newspaper reporter, wrote a slanderous article about him which was published in the newspaper.

To state a claim under 42 U.S.C. §1983 plaintiff must allege that a person acting under color of state law violated his constitutional rights. Plaintiff has not alleged that the defendant acted under color of state 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 (7<sup>th</sup> Cir. 1997).

ORDER

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

Entered this 13<sup>th</sup> day of June, 2006.

BY THE COURT:

S/

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JOHN C. SHABAZ  
District Judge