

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

JOSEPH R. REDMOND,

Plaintiff,

v.

ORDER
07-C-432-S

FEDERAL BUREAU OF PRISONS and
HARLEY G. LAPPIN,

Defendants.

Upon receipt of plaintiff's partial filing fee in the amount of \$49.64, the Court addresses the merits of plaintiff's complaint. According to 28 U.S.C. § 1915(b)(2), the institution's financial officer is authorized to deduct monthly payments from plaintiff's account until the \$350.00 filing fee is paid in full.

Plaintiff alleges that the Bureau of Prisons and its Director have denied him early release after completing RDAP but have granted release to similarly situated inmates. It is possible that plaintiff could prove a set of facts that would support an equal protection claim. Accordingly, he will be allowed to proceed on this claim.

ORDER

IT IS ORDERED that plaintiff is allowed to proceed on his equal protection claim against defendants Federal Bureau of Prisons and Harley G. Lappin.

Redmon v. Bureau of Prisons, et al., 07-C-432-S

The summons and complaint are being delivered to the United States Marshal for service upon the Federal Bureau of Prisons and Harley G. Lappin in Washington, D.C.

Entered this 27th day of August, 2007.

BY THE COURT:

JOHN C. SHABAZ
District Judge