

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

DANIEL Z. MALDONADO #432966,

Petitioner,

ORDER

v.

08-cv-279-slc

WISCONSIN DEPARTMENT OF
CORRECTIONS, DIVISION OF
COMMUNITY CORRECTIONS and
CHRISTOPHER S. NOLET, Probation Agent,

Respondents.

In an order dated May 15, 2008, I told petitioner that before I could consider his request to proceed *in forma pauperis* he would have to submit a trust fund account statement for the period beginning November 8, 2007 and ending May 8, 2008 so that I could assess an initial partial payment of the \$350 filing fee. Now petitioner has filed a motion for an extension of time to submit his statement. Petitioner says that for the above six-month period he “has been in custody in three separate facilities” and that “in order to retrieve the[se] records” he will need additional time. Alternatively, petitioner asks the court for permission to submit a statement covering a three-month period only.

When a prisoner is incarcerated at one or more institutions during the six-month period immediately preceding the filing of his lawsuit, he is required under 28 U.S.C. § 1915(a)(2) to obtain a trust fund account statement “from the appropriate official of each prison at which

[he] is or was confined” during the relevant period. Therefore, if petitioner wants to continue with this lawsuit, he will have to write to the institutions in which he has have been confined between November 8, 2007 and May 8, 2008 to request certified copies of his trust fund account statement. To allow him to do so, I will grant petitioner’s motion and extend the deadline within which he is to submit his statements until July 7, 2008.

ORDER

IT IS ORDERED that petitioner’s motion for an extension of time (dkt. #3) is GRANTED. Petitioner may have until July 7, 2008, in which to submit trust fund account statements for the period beginning approximately November 8, 2007 and ending approximately May 8, 2008. If, by July 7, 2008, petitioner fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and, in that case, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 27th day of May, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge