

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

GREGORY GORDON,

Petitioner,

ORDER

v.

08-cv-336-bbc

J.B. VAN HOLLEN, Attorney General, State
of Wisconsin, and
ROBERT K. FOLLIS, Sheriff, Bayfield County
Jail,

Respondents.

Petitioner Gregory Gordon, an inmate at the Bayfield County Jail in Bayfield, Wisconsin, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner seeks leave to proceed *in forma pauperis*. Having considered petitioner's affidavit of indigency, I find that he is unable to prepay the fees of commencing this action or to post security therefor, pursuant to 28 U.S.C. § 1915(a)(1). Accordingly, petitioner's request for leave to proceed *in forma pauperis* is granted.

I also note that petitioner named the Attorney General for the State of Wisconsin and the County of Bayfield as respondents to the petition. In a habeas action filed by a state prisoner, the proper respondent is the state officer having custody of the prisoner and the attorney general for the state where the judgment was entered. Rule 2 of the Rules Governing Section 2254 Cases. Those people are J.B. Van Hollen, Attorney General for the State

of Wisconsin and Bayfield County Sheriff Robert K. Follis. I have revised the caption to show the correct respondents and direct the clerk of court to do the same.

Entered this 10th day of June, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge