

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

ADEKUNLE RAZAQ ADEFEYINTI

Petitioner,

ORDER

v.

08-cv-426-slc

FEDERAL BUREAU OF PRISON/
FEDERAL CORRECTIONAL
INSTITUTION OXFORD, WI,
DR. JAMES REED, "MEDICAL
DIRECTOR" MR. MICHAEL CARR,
"H.S.A.",

Respondents.

Petitioner Adekunle Razaq Adefeyinti, a prisoner at the Kenosha County Detention Center in Kenosha, Wisconsin, has submitted a proposed complaint. He asks for leave to proceed *in forma pauperis*. Because petitioner is a prisoner, he is subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether he can proceed with his complaint *in forma pauperis*, petitioner will have to make an initial partial payment of the filing fee calculated from his trust fund account statement for the six-month period immediately preceding the filing of his complaint.

In this case, petitioner did not submit a trust fund account statement for the full six-month period. Nevertheless, I was able to calculate petitioner's initial partial payment from the following sources. First, in connection with this case, petitioner submitted a trust fund account statement for the period beginning May 13, 2008 and ending July 14, 2008, showing a single deposit to his account in the amount of \$.38. Second, in his affidavit of indigency, petitioner

avers that in February 2008, he was imprisoned at the Federal Correctional Institution in Oxford, Wisconsin, and earned \$5.25 that month. Finally, I am aware from a trust fund account statement petitioner submitted recently in another case (Case No. 08-cv-319-slc) that for the months of March and April 2008, petitioner was housed in the Dodge County Correctional Facility, where deposits were made to his account totaling \$10.46. From this information, I have calculated petitioner's initial partial payment to be \$.60. He will have to pay this amount no later than August 15, 2008, and the remainder of the fee in monthly installments even if his request for leave to proceed is denied.

ORDER

IT IS ORDERED that petitioner is assessed \$.60 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in that amount on or before August 15, 2008. If, by August 15, 2008, petitioner fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 25th day of July, 2008

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge