

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

KENNETH V. AWE,

Petitioner,

v.

GRANT COUNTY WISCONSIN CIRCUIT 2,

Respondent.

ORDER

10-cv-413-bbc

Petitioner Kenneth Awe is requesting to proceed in forma pauperis on his petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. In order to do this he needs to submit trust fund account information for the period beginning approximately January 22, 2010 and ending approximately July 23, 2010. Thus far, he has only submitted information covering April 2010. In orders entered on July 28, 2010 and August 23, 2010, petitioner was directed to submit (1) a statement of his account beginning approximately January 22, 2010 and ending approximately March 31, 2010, and (2) a statement beginning approximately May 1, 2010 and ending approximately July 23, 2010. Instead, petitioner submitted a trust fund account statement beginning December 22, 2008 and ending July 22, 2009. Unfortunately, petitioner's statement covers the wrong year. In order to determine whether petitioner qualifies for indigent status, the court must have his **2010** trust fund account information. Because it appears that petitioner may have been confused about the time period his financial statement was to cover, I will grant him one last opportunity to submit the trust

fund account statement for the six-month period immediately proceeding the filing of his petition. Petitioner should show a copy of this order to prison officials to insure that they are aware they should send petitioner's 2010 trust fund account statement to this court.

ORDER

IT IS ORDERED that petitioner Kenneth Awe may have until October 1, 2010, in which to submit (1) a statement beginning approximately January 22, 2010 and ending approximately March 31, 2010, and (2) a statement beginning approximately May 1, 2010 and ending approximately June 30, 2010. Alternatively, petitioner may have until October 1, 2010, in which to pay the \$5 fee for filing his petition. If, by October 1, 2010, petitioner does not pay the filing fee or submit the trust fund account statements for the required period, the clerk of court is directed to close this case for petitioner's failure to prosecute it.

Entered this 16th day of September, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge