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

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MALCOLM W. HOLLIMAN,

Plaintiff,

v.

JOHN PAQUIN, LYNDA SCHWANDT,
CHAPLAIN KUHENS,
UNIT MANAGER WINKLESKI,
CAPT., J. ANDERSON, CAPT. HESSELBERG,
CAPT. JORGERSON, CAPT. STICH,
LT. SKIME AND C/O HAYES,

Defendants.

ORDER

10-cv-443-slc

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Plaintiff Malcolm W. Holliman, a prisoner at Wisconsin Secure Program Facility , has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. Plaintiff has also submitted a trust fund account statement covering the six-month period immediately preceding the filing of the complaint. From this statement, I conclude that plaintiff has the means to prepay a portion of the filing fee in the amount of $66.33. Plaintiff should be aware that this is just the first step in obtaining leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. After he sends in the payment, the court will review his complaint to decide whether to grant plaintiff leave to proceed on it. Leave will not be granted if the action must be dismissed as malicious or legally "frivolous," a term that means that the complaint does not allege a claim of any kind. Leave can be denied also if the complaint does not state a claim on which plaintiff could obtain relief under the law or if plaintiff is asking for money from a defendant who is legally protected from having to pay money in his case. Plaintiff should show a copy of this order to institution officials to make sure they know they should send plaintiff's partial filing fee to this court.

Next, it does not appear that plaintiff himself has signed the complaint or the affidavit of indigency. Enclosed are the signature pages of the complaint and the affidavit of indigency, which plaintiff needs to sign and return to the court no later than August 30, 2010.

ORDER

IT IS ORDERED that plaintiff qualifies for pauper status on the condition that he prepay $66.33 of the $350 filing fee. He is to submit a check or money order made payable to the clerk of court in that amount on or before August 30, 2010. If, by August 30, 2010, plaintiff fails to prepay the amount he has been ordered to pay and submit the signed signature pages, I will dismiss his case for his failure to prosecute it.

Entered this 11th day of August, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge