

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

DAMIEN GREEN,

Plaintiff,

v.

RALSTON FOODS, CRYSTAL L. MUELLER,
JANE DOES 1-12 and JOHN DOE 1-12,

Defendants.

ORDER

10-cv-496-slc

In an order entered in this case on October 8, 2010, I gave plaintiff until November 8, 2010 to pay his initial partial payment of the \$350 filing fee in the amount of \$1.05. The deadline has passed and plaintiff has submitted a letter dated November 9, 2010 indicating that he had sent his payment in. The court did receive a single payment of \$1.05 from plaintiff and that payment was applied to plaintiff's *other* case, 10-cv-485-slc. Plaintiff still owes another \$1.05 for this case.

The court will allow one extension of 30 days in which plaintiff may pay the initial partial filing fee in this lawsuit. If by December 17, 2010, plaintiff is unable to pay the initial partial payment, then I will conclude that he has withdrawn this action and he will not owe a filing fee.

If plaintiff does not have the money to make the initial partial payment in his regular account, then he will have to arrange with prison authorities to pay some or all of the assessment from his release account. This does not mean that plaintiff is free to ask prison authorities to pay *all* of his filing fee from his release account. The only amount plaintiff must pay at this time is the \$1.05 initial partial payment. Before prison officials take any portion of that amount from plaintiff's release account, they may first take from plaintiff's regular account whatever amount

up to the full amount plaintiff owes. Plaintiff should show a copy of this order to prison officials to insure that they are aware they should send plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that plaintiff Damien Green may have an enlargement of time to December 17, 2010, in which to submit a check or money order made payable to the clerk of court in the amount of \$1.05. If, by December 17, 2010, plaintiff fails to make the initial partial payment, the clerk is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 17th day of November, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge