

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

DENNIS RAY ARMSTRONG,

Plaintiff,

v.

SHERIFF KIM GAFFNEY, Officer JILL RATA CZAK,
Captain CHRIS KUHL, DR. BUTLER and
JANE DOE NURSES,

Defendants.

ORDER

10-cv-663-slc

Plaintiff Dennis Armstrong, an inmate at the Marquette County Jail in Montello, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. A decision on the request will be delayed until plaintiff submits a trust fund account statement for the six-month period immediately preceding the filing of the complaint as required by 28 U.S.C. § 1915(a)(2) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because the financial statement he submitted with his complaint does not cover the full six-month period immediately preceding the filing of his complaint.

Plaintiff's complaint was submitted on November 1, 2010. His trust fund account statement should cover the six-month period beginning approximately May 1, 2010 and ending approximately November 1, 2010. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2). Plaintiff should show a copy of this order to jail officials to insure that they are aware they should send a copy of plaintiff's six-month trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff Dennis Armstrong may have until November 22, 2010, in which to submit a certified copy of his trust fund account statement for the period beginning approximately May 1, 2010 and ending approximately November 1, 2010. If, by November 22, 2010, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that event, the clerk of court is directed to close this case without prejudice to plaintiff's filing his case at a later date.

Entered this 2nd day of November, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge