

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

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DAVID W. WATTS,

Plaintiff,

ORDER

v.

10-cv-550-wmc

DAN WESTFIELD and RICK RAEMISCH,

Defendants.

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On July 11, 2014, the court granted defendants' motion for summary judgment and dismissed the prisoner civil rights case filed by plaintiff David W. Watts. Watts has now filed a motion for an extension of time to submit a notice of appeal. (Dkt. # 146.) In a civil case such as this one, a notice of appeal must be filed "within 30 days after entry of the judgment or order appealed from." FED. R. APP. P. 4(a)(1)(A). Because Watts's time to appeal has not yet expired, his request for an extension of time is premature. Noting that Watts's request for an extension evinces an intention to appeal, but for his uncertainty as to how to do so, the court construes his request for an extension of time as a notice of appeal and directs the clerk's office to treat it as such.

ORDER

IT IS ORDERED that:

1. The clerk's office is directed to docket the motion for an extension of time to appeal filed by plaintiff David W. Watts (dkt. # 146) as a notice of appeal and to treat it accordingly.

2. For his appeal to proceed, Watts must either pay the appellate docketing fee (\$505.00) or submit a properly supported motion for leave to proceed *in forma pauperis* (without prepayment of the fee) in compliance with 28 U.S.C. § 1915(a)(2) **within twenty days of the date of this order.**

Entered this 6th day of August, 2014.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge