

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

ODESSA BUYCKS,

Plaintiff,

v.

LATRICE HOGAN,
BONNIE THIELECKE and
JULIE MURDOCK,

Defendants.

ORDER

12-cv-329-wmc

Plaintiff Odessa Buycks has submitted a proposed complaint. Plaintiff asks for leave to proceed *in forma pauperis* and supports her request with an affidavit of indigency. The factors for determining whether plaintiff qualifies for indigent status are:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff is not employed and has no monthly income. Her husband's monthly income is \$707. Under Wisconsin's marital property laws, plaintiff's husband's income is considered to be plaintiff's as well. Thus, plaintiff has a monthly income totaling \$707, which makes her annual income \$8484. Because plaintiff's income is less than \$16,000, she can proceed without any prepayment of fees or costs.

Accordingly, IT IS ORDERED that plaintiff's complaint is taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915 to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Plaintiff will be notified promptly when such a decision has been made. In the meantime, if plaintiff needs to communicate with the court about this case, she should be sure to write the case number shown above on her communication.

Entered this 25th day of May, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge