

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

MICHAEL B. KINGSLEY,

Plaintiff,

v.

MONROE COUNTY SHERIFF'S DEPARTMENT,
ROBERT CONROY, STAN HENDRICKSON,
WISCONSIN DEPARTMENT OF CORRECTIONS and
NATE WHITE,

Defendants.

ORDER

12-cv-336-bbc

This case was closed when plaintiff Michael Kingsley failed to pay the \$4.88 initial partial filing fee he was assessed under 28 U.S.C. § 1915(b)(1). Now, the court has received plaintiff's \$4.88 initial partial payment as well as plaintiff's motion to reopen the case. Plaintiff's motion to reopen will be granted. Nevertheless, because he is a prisoner, plaintiff is subject to the 1996 Prison Litigation Reform Act. Under the Act, plaintiff cannot proceed with this action unless the court grants him permission to proceed after screening his complaint pursuant to 28 U.S.C. § 1915A.

As soon as the court's calendar permits, plaintiff's complaint will be screened. Leave to proceed 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 will be notified promptly when such a decision has been made. In the meantime, if plaintiff needs to communicate with the court about his case, he should be sure to write the case number shown above on his communication.

ORDER

IT IS ORDERED that plaintiff Michael Kingsley's motion to reopen this case, dkt. #5, is GRANTED. Plaintiff's complaint is taken under advisement for screening pursuant to 28 U.S.C. § 1915A.

Entered this 21st day of June, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge