

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

MELICHSIA BOSS,

Plaintiff,

v.

ROCK COUNTY, WISCONSIN,

Defendant.

ORDER

02-C-0678-C

Plaintiff has filed a notice of appeal from the judgment entered in this action on November 28, 2003. Her notice is accompanied by an affidavit of indigency. Plaintiff does not qualify automatically for indigent status on appeal because she paid the \$150 fee for filing his action. However, I infer from plaintiff's submission of an affidavit of indigency and her failure to pay the \$255 fee for filing her notice of appeal that she is requesting leave to proceed in forma pauperis on appeal. That request will be granted.

Although plaintiff's notice of appeal is not signed as it must be, Fed. R. Civ. P. 5, and it does not appear that plaintiff has served a copy of her notice on opposing counsel, these defects may be cured promptly if plaintiff immediately submits an amended notice of appeal bearing her signature and a letter confirming that she has served opposing counsel with a

copy of her notice of appeal.

From the affidavit of indigency plaintiff has filed in support of her request, I find that she is deeply in debt, has no assets and has received only \$1826 since August 22, 2003 in unemployment compensation. She has one dependent. She qualifies financially for pauper status. Moreover, I do not intend to certify that her appeal is not taken in good faith.

ORDER

IT IS ORDERED that plaintiff may have until January 19, 2004, in which to submit an amended notice of appeal bearing her signature and a letter confirming that she has served her notice of appeal on counsel for the defendant.

Further, IT IS ORDERED that plaintiff's motion for leave to proceed in forma pauperis on appeal is GRANTED.

Entered this 7th day of January, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge