

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

NATHANIEL ALLEN LINDELL,

Petitioner,

v.

ORDER

02-C-473-C

SCOTT McCALLUM, Governor of Wisconsin; JON LITSCHER, Secretary of Wisconsin Department of Corrections; DICK VERHAGEN, former Administrator of Wisconsin's Department of Adult Institution; STEVEN CASPERSON, current Administrator of Wisconsin's Dept. of Adult Institutions; LAURA WOOD, policy advisor for D.A.I.; GARY R. McCAUGHTRY, former Warden of Waupun Correctional Institution; GERALD BERGE, Warden of Supermax; CINDY O'DONNELL, assistant deputy of Jon Litscher; JOHN RAY, Corrections Complaint Examiner; SANDY HAUTAMAKI, former inmate complaint examiner at W.C.I., now a C.C.E.; CATHY JESS and JODINE DEPPISCH, deputy wardens at W.C.I.; N. SALMON, secretary of Gerald Berge; PETER HUIBREGTSE, former security director at W.C.I., now deputy warden at Supermax; MARC CLEMENTS, Security Director at W.C.I.; CURT JENSSEN, Manager of W.C.I.'s Health and Segregation Unit; DEB TETZLAFF, W.C.I.'s program director; CAPTAIN STEVE SCHUELER, a Captain at W.C.I.; CAPTAIN MURASKI, a Captain at W.C.I.; LINDA ALSUM-O'DONOVAN, and JAMES MUENCHOW, both inmate complaint examiners (I.C.E.) at W.C.I.; ELLEN RAY, TOM "DOE," both I.C.E.'s at Supermax; SANDRA GRONDIN, C.O. SHANNON, SGT. HOTTENSTEIN and SGT. O'ROURKE - all guards at Supermax; J.C. SMITS, Mailroom employee at W.C.I.; JIM WEGNER, Supervisor of W.C.I.'s chapel; CHAPLAINS NORTH and FRANCIS, at W.C.I.; C.O. WATSON, guard at W.C.I.; CAPTAIN TODD OVERBO at Supermax; VICKI SHARPE, Supermax's Program Director; JOHN SHARPE, Manager of Delta Unit,

formerly Fox Trot Unit at Supermax; CAPTAIN LINJER at Supermax; WILLIAM SCHULTZ; LT. RANDALL GARRITSON and CAPT. ECKSTEIN, staff at W.C.I.; MR. HOMBE, SGT. HOTTENSTEIN, Supermax staff,

Respondents.

Petitioner Nathaniel Allen Lindell, a prisoner at the Wisconsin Secure Program Facility in Boscobel, Wisconsin, has filed a notice of appeal from the judgment entered herein on February 3, 2003. In this court's March 5, 2003 order, I concluded that petitioner does not have three strikes and I do not intend to certify that his appeal is not taken in good faith. See 28 U.S.C. § 1915(g).

From petitioner's timely submitted trust fund account statement, it appears that petitioner presently has no means with which to pay an initial partial payment of the \$105 fee for filing his appeal. However, petitioner should be aware that he is obligated to pay the \$105 filing fee, even if he does not presently have funds with which to pay the fee. His account will be monitored and the fee must be taken in monthly installments when the funds exist.

Accordingly, IT IS ORDERED that petitioner's request for leave to proceed in forma

pauperis on appeal is GRANTED.

Entered this 10th day of March, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge