

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

LEE SIMMONS,
No. 00192235,

Petitioner,

MEMORANDUM

03-C-365-C

v.

SECRETARY MATTHEW FRANK;
JON LITSCHER; DICK VERHAGEN;
SHARON ZUNKER; PATRICK J. KNOWLES;
DR. ROYLE EENIGENBURG, JR., M.D.;
DR. V. STONE; DR. DONALD HANDS;
KENNETH MORGAN; LINDA MORGAN;
CHRIS ELLARD; DR. WITTE; SHARIDEN ASH;
PHIL KINGSTON; GREG GRAM; DR. JANET
WALSH; DR. TRACY JOHNSON; DR. TRINIDAD;
TIM DOUMA; AMY MILLARD; JIM SUTTEN;
DR. GARY BRIDGEWATER; PAT SIEDSCHLAG;
KRISTI DIETZ; RADALL R. HEPP; JEFF
WYDEVEN; BILL NOLAN; JOHN RAY;
SGT. ALLEN; SGT. WINSLOW; KEVIN
POTTER; MS. HACKBART; LENARD WELL;
and DR. JOHN ROBERTS,

Respondents.

Petitioner Lee Simmons, a prisoner at the Columbia Correctional Institution in Portage, Wisconsin, has filed a request for a precise accounting of what he owes to pay off

debts of filing fees he incurred in Simmons v. Morgan, 00-C-380-C, Simmons v. Brennan, 99-C-691-C and Simmons v. Ash, 99-C-489-C. I already have answered that question in an order entered in this case on July 28, 2003, a copy of which is attached for petitioner's review. Petitioner appears to believe that this court's records are inaccurate because he has a copy of the prison's financial record for case no. 99-C-489-C and it shows that he has paid all he owed in that case.

The discrepancy between what the prison's financial records show and what the court's financial records show is understandable. In this court, if a prisoner owes \$100 in each of three cases and he submits a payment of \$30, even if he designates the payment as intended for just one of those cases, the requested designation is ignored by the court's computer and instead, the \$30 payment is divided equally toward each of the three debts owed. Thus, in the hypothetical situation described above, the \$30 payment would be split and \$10 would be deducted from the debt in each of the three cases. Therefore, even though the prison's financial records show that petitioner made payments totaling \$150 in case no.

99-C-489-C, when those payments reached this court they were divided to pay down all of petitioner's debts.

Entered this 8th day of October, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge