

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

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STACEY MILLER,

Plaintiff,

v.

BRIAN BLANCHARD, JAC HEITZ,  
TIM HAMMONDS, and STATE OF  
WISCONSIN,

Defendants.

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ORDER

04-C-255-C

Plaintiff Stacey Miller, a prisoner at the Federal Correctional Institution in Ray Brook, New York, has submitted a proposed complaint. He has paid the \$150 filing fee. Nevertheless, because he is a prisoner, he 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. Therefore, plaintiff is not to serve his complaint on the defendants. He is to delay such service until he has received an order from this court allowing him to proceed with his action.

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. § 1915A 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.

Entered this 30th day of April, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge