

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

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CARL JOHN MAHLER, JR.,

Petitioner,

ORDER

v.

04-C-31-C

MATTHEW J. FRANK, Secretary of Prisons;  
SERGEANT DORF, Guard at Stanley Prison; and  
LT. JENSEN, Trial Court at Stanley Prison,

Respondents.  
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Petitioner Carl John Mahler, Jr., has written to request permission to submit seven postage stamps to cover the \$2.56 initial partial payment of the filing fee in this case. He contends that he cannot complete a disbursement request form to obtain a check from the prison financial office because the form includes a statement reading “ Offender Request - To be completed by the offender.” According to petitioner, he objects to being called an offender and therefor will not complete the form unless the court strikes the words “offender.”

Petitioner may not submit stamps in lieu of an initial partial payment of the filing fee in this case. Moreover, this court is without the legal authority to modify correctional institution financial forms simply because petitioner does not like the wording on them. If

petitioner decides he cannot complete the form without making word modifications to suit his preference, he will have to face the consequence of his decision. I will give him an extension of one week, or until February 19, 2004, in which to pay the initial partial payment assessed to him in the magistrate judge's order. If, by February 12, 2004, petitioner fails to pay the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 2nd day of February, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge