

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

GENARO VICARIO,

Petitioner,

v.

C. HOLINKA, Warden, et al.,

Respondents.

ORDER

04-C-630-C

In an order entered in this case on September 7, 2004, I gave petitioner Genaro Vicario until September 28, 2004, in which to either pay the \$5 fee for filing this petition for a writ of habeas corpus, or submit a trust fund account statement for the recent past six-month period to support his request for leave to proceed in forma pauperis, so that I could determine whether he is eligible for pauper status. I told petitioner that if, by September 28, 2004, he failed to submit either the \$5 payment or the trust fund account statement, I would deny his request for leave to proceed in forma pauperis and close this action. Petitioner has neither paid the filing fee nor supported his request for pauper status with the necessary trust fund account statement.

Accordingly, because petitioner has failed to show that he is indigent for the purpose

of proceeding in forma pauperis, IT IS ORDERED that petitioner's request for leave to proceed in forma pauperis is DENIED. The Clerk of Court is directed to close this file.

Entered this 12th day of October, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge