

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

ETHEL EMELIA MORRIS-SHAW,

Petitioner,

v.

STORA ENSO NORTH AMERICA CORPORATION,

Respondent.

ORDER

04-C-704-C

This civil action brought pursuant to Title VII of the 1964 Civil Rights Act, as amended by the Civil Rights Act of 1991, 42 U.S.C. §§ 2000e, has been transferred to this court by the District Court for the Eastern District of Wisconsin, on the ground that venue is proper here. (Petitioner resides in Wisconsin Rapids, which is in the Western District of Wisconsin, and is suing respondent Stora Enso North America, which is also located in Wisconsin Rapids.) In her complaint, petitioner appears to be alleging that she was subject to sexual harassment and discriminated against on the basis of her race, color, sex and national origin. She requests leave to proceed in forma pauperis.

In support of the request for leave to proceed in forma pauperis, petitioner has submitted an affidavit of indigency in which she avers that she has been unemployed since

October 2003; that she has a monthly income of \$160 a month from rental income on a condominium on which she owes \$59,287.15; that she has stocks totaling \$2000 and a money market account worth \$1600; and that she has an automobile worth \$1200. Petitioner avers also that she has no dependents and that she pays \$330 a month for rent, \$50 a month for utilities, \$110 a month for cable television and telephone and \$150 a month toward \$6000 in credit card debt. However, petitioner does not disclose the assessed market value of the condominium she owns, or explain how she is able to pay her monthly bills on an income of only \$160 a month. Therefore, before I can decide whether petitioner qualifies for indigent status, she will have to supplement her affidavit of indigency to show the assessed value of her condominium and to explain how she is paying bills totaling \$640 a month with an income of only \$160 a month.

ORDER

IT IS ORDERED that

1. Petitioner's request for leave to proceed in forma pauperis against respondent on her Title VII claim is STAYED.
2. Petitioner may have until October 18, 2004, in which to supplement her affidavit of indigency with averments disclosing the assessed value of her condominium and the amount of any additional income she may have, such as unemployment compensation, that

she is using to pay her monthly bills.

3. If, by October 18, 2004, petitioner fails to supplement her affidavit as requested above, then I will deny her request for leave to proceed in forma pauperis for her failure to make the necessary showing of indigency.

Entered this 28th day of September, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge