

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

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FREDERICK ROGERS,

Plaintiff,

v.

C.O. HERWIG and  
MATTHEW FRANK,

Defendants.

ORDER

04-C-977-C

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FREDERICK ROGERS,

Plaintiff,

v.

C.O. SCHEFFER,

Defendant.

04-C-979-C

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Plaintiff has not responded to this court's order of November 6, 2006, asking him to identify no later than November 27, 2006, in which of these cases he wished his notice of appeal to be filed and requesting that he submit a trust fund account statement in support of his request to proceed in forma pauperis on appeal so that I can determine whether he

qualifies for indigent status on appeal. I told plaintiff that if he did not advise the court in which case he wished his notice of appeal filed, I would direct the clerk of court to docket it in case number 04-C-977-C. I told plaintiff also that if he failed to submit the required trust fund account statement, I would deny his request for leave to proceed in forma pauperis on appeal on the ground that he had failed to show that he was entitled to indigent status on appeal.

#### ORDER

IT IS ORDERED that plaintiff's notice of appeal is to be docketed in case no. 04-C-977-C.

Further, IT IS ORDERED that plaintiff's request for leave to proceed in forma pauperis on appeal in case no. 04-C-977-C is DENIED on the ground that plaintiff has failed to show that he qualifies for indigent status on appeal.

Entered this 5th day of December, 2006.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge