

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

KURT W. MEYER,

Petitioner,

MEMORANDUM

v.

05-C-269-C

CATHERINE J. FARREY,
MARK TESLIK,
JOHN RAY,
RICHARD RAEMISCH,

Respondents.

Petitioner Kurt W. Meyer, a prisoner at the Fox Lake Correctional Institution in Fox Lake, Wisconsin, has submitted a proposed complaint. He asks for leave to proceed in forma pauperis. Because petitioner is a prisoner, he is subject to the 1996 Prisoner Litigation Reform Act. This means that before he may proceed with this action, he must pay make an initial partial payment of the \$250 filing fee and pay the remainder of the fee in monthly installments even if his request for leave to proceed is denied. Petitioner submitted a check in the amount of \$30 when he filed his proposed complaint. This payment is greater than the \$9.50 petitioner would be required to pay if his payment were calculated strictly according to the method described in 28 U.S.C. § 1915(b)(1). Nevertheless, prisoners are

not prohibited from paying more than the statute requires. Therefore, I accept petitioner's \$30 check as his initial partial payment in this case. Petitioner's complaint will be taken under advisement for screening pursuant to § 1915(e)(2). As soon as the complaint has been screened, petitioner will be notified promptly.

Entered this 10th day of May, 2005.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge