

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

TIMOTHY ALI, AMONTE JACKSON
and PERCY BROWN,

Petitioners,

v.

MILWAUKEE COUNTY JAIL, SHERIFF
DEPARTMENT, DAVID A. CLARKE, Sheriff,
KEVIN CARR, Deputy Inspector, and
RICHARD R. SCHMIDT, Deputy Inspector,

Respondents.

ORDER

05-C-363-C

This civil action under 42 U.S.C. § 1983 was filed originally as a group action brought by 16 petitioners confined at the Milwaukee County Jail. In an order entered on June 24, 2005, I dismissed three of the co-petitioners for their failure to prosecute and allowed several others to opt out, including petitioner Darrell Campbell. In addition, I severed petitioner Gary Campbell's claims and gave petitioner Percy Brown until August 22, 2005, in which to pay \$19 as an initial partial payment of the \$250 fee he owes for filing this case. Finally, I gave petitioners Amonte Jackson and Timothy Ali until August 12, 2005, in which to submit trust fund account statements as required by 28 U.S.C. § 1915(a)(2) so that I could

assess each of them an initial partial payment of their own \$250 filing fees. Now, petitioners Ali and Jackson have submitted the required trust fund account statements. In addition, former petitioners Darrell Campbell and Miguel Segarra have submitted trust fund account statements and asked to be allowed to join in the suit.

I construe the submissions of former petitioners Darrell Campbell and Miguel Segarra to include a motion for permission to rejoin the suit. Because Campbell's and Segarra's reinstatement as petitioners will not result in additional delay in this case, I will grant their motions.

ORDER

IT IS ORDERED that petitioner Darrell Campbell's and Miguel Segarra's motions for permission to rejoin this suit are GRANTED.

Further, IT IS ORDERED that petitioner Darrell Campbell is assessed \$23.75 as an initial partial payment of the \$250 fee for filing his action; petitioner Timothy Ali is assessed \$21 as an initial partial payment of the \$250 fee for filing his action; and petitioner Miguel Segarra is assessed \$13.50 as an initial partial payment of the \$250 fee for filing his action. Amonte Jackson's trust fund account reveals that he does not have the means to make an initial partial payment. Nevertheless, he will be responsible for paying the full \$250 fee in installments pursuant to 28 U.S.C. § 1915(b)(2) whenever he has the means to do so.

Finally, IT IS ORDERED that no later than September 7, 2005, petitioners Darrell Campbell, Timothy Ali and Miguel Segarra are to submit a check or money order made payable to the clerk of court in the amount assessed to him. If, by September 7, 2005, any petitioner fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn from this action voluntarily.

Entered this 17th day of August, 2005.

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