

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

MANUEL WILLIAMS,

Petitioner,

v.
DR.KALLAS, DR. DIEDRICH,
GREGORY GRAMS, VANDENBROOK,
JANET WALSH, GARY ANKARLO and
SARAH COLEMAN,

ORDER
05-C-381-S

Respondent.

Petitioner requests leave to proceed in forma pauperis.
Attached to his affidavit of indigency is a proposed complaint.

Pursuant to 28 U.S.C. § 1915(b)(1), as amended by the Prison Litigation Reform Act, effective April 26, 1996, a prisoner bringing a civil action shall be required to pay the full amount of the \$250.00. The Court shall collect an initial partial filing fee of 20% of the greater of the average monthly deposits in the prisoner's account or the average monthly balance in the prisoner's account for the six month period immediately preceding the filing of the complaint.

According to the information that petitioner submitted, he had no income in the six month time period immediately preceding the filing of the complaint. Accordingly, he does not have the means to pay an initial partial filing fee.

The Court will address the merits of petitioner's complaint. Petitioner's allegations are unclear. It appears he disagrees with the mental health treatment he is receiving. These allegations do not support an Eighth Amendment deliberate indifference claim. Accordingly, petitioner's complaint will be dismissed without prejudice for failure to state a claim under federal law.

Petitioner is advised that in any future proceedings in this matter he must offer argument not cumulative of that already provided to undermine this Court's conclusion that his claim must be dismissed. See Newlin v. Helman, 123 F.3d 429, 433 (7th Cir. 1997).

ORDER

IT IS ORDERED that petitioner's request to proceed in forma pauperis is GRANTED.

IT IS FURTHER ORDERED that petitioner's complaint and all claims contained therein is DISMISSED without prejudice for failure to state a claim for relief under federal law.

Entered this 29th day of June, 2005.

BY THE COURT:

/s/_____
JOHN C. SHABAZ
District Judge