

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

JOSE BORRERO,

Petitioner,

ORDER

v.

05-C-418-C

JAMES GREER, ROBERT BREVARD,
BARBARA RIPANI and ANN SEMROW,
sued in their official capacities,

Respondents.

Petitioner Jose Borrero, a prisoner at the Columbia Correctional Institution in Portage, Wisconsin, has submitted a proposed complaint. He requests leave to proceed in forma pauperis. From petitioner's trust fund account statement, it appears that petitioner presently has no means with which to pay an initial partial payment of the \$250 fee for filing his complaint. However, petitioner should be aware that he is obligated to pay the \$250 filing fee, even if this court determines that he will not be permitted to proceed with his complaint in forma pauperis and even if he does not presently have funds with which to pay the fee. 28 U.S.C. § 1915(b)(1). His account will be monitored and the fee must be taken in monthly installments when the funds exist.

Accordingly, IT IS ORDERED that petitioner's complaint is taken under advisement. As soon as the court's calendar permits, petitioner's complaint will be screened pursuant to 28 U.S.C. § 1915(e)(2) to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Petitioner will be notified promptly when such a decision has been made.

Entered this 21st day of July, 2005.

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