

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

JESUS MAR GARCIA,

Petitioner,

v.

MEMORANDUM

05-C-611-C

STEVEN HOBART, Warden,

Respondent.

Petitioner Jesus Mar Garcia has filed a notice of appeal, challenging this court's denial of his petition for a writ of habeas corpus under 28 U.S.C. § 2241. I do not intend to certify that the appeal is taken in bad faith. In an order dated on February 8, 2006, I found that although petitioner does not have means to pre-pay the full cost of appeal, he is able to prepay a portion of the fee for filing his appeal. Therefore, I assessed him an initial partial payment in the amount of \$46.81 and gave him until March 1, 2006, to submit his payment. Because petitioner has neither paid the initial partial payment nor explained his failure to do so, I am notifying the Court of Appeals for the Seventh Circuit of his failure to

submit the initial partial payment so that it may take whatever action is appropriate with respect to his appeal.

Entered this 7th day of March, 2006.

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