

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

JEFFREY P. SULASKI,

Petitioner,

v.

STEPHEN HOBART,

Respondent.

ORDER

05-C-746-C

In an order dated May 12, 2006, I stayed a decision on petitioner's request for leave to proceed in forma pauperis on appeal and gave petitioner until June 2, 2006, in which to file (1) a trust fund account statement for the six-month period beginning approximately November 12, 2005 and ending approximately May 12, 2006 and (2) an affidavit describing the issues he intends to raise on appeal. Now petitioner has filed a motion for a temporary restraining order, which is accompanied an affidavit and memorandum of law. In this motion, petitioner asserts that on April 28, 2006, he was transferred to a special housing unit in the prison and separated from his property. Since that date, he has been attempting without success to retrieve his legal papers from the property storage room. Petitioner appears to believe that he cannot respond to this court's order without his legal materials.

Petitioner does not say that he did not receive this court's May 12 order, which was sent to him after he arrived in the special housing unit. Assuming he got that order, he does not explain why he cannot arrange for the necessary trust fund account statement to be sent to this court. The May 12 order should be sufficient to show prison officials that he has been directed to submit the statement. In the event petitioner has been separated from the May 12 order, I am enclosing another copy to him together with a copy of this order.

To the extent that petitioner wishes to remind himself of the issues he raised in his § 2241 petition in this court before attempting to describe the issues he intends to raise on appeal, I am also enclosing to petitioner with a copy of this order the opinion and order I entered on February 3, 2006, dismissing his habeas corpus petition. This opinion describes in detail the factual assertions petitioner made in his petition and explains the basis for this court's decision to dismiss the action. Petitioner should not need additional documents to prepare his affidavit.

Although I will extend petitioner's deadline for filing his trust fund account statement and affidavit to June 12, 2006, it is unlikely that I will grant any further requests for additional time to comply with the May 12 order.

ORDER

IT IS ORDERED that the stay previously imposed on a decision whether petitioner

may proceed in forma pauperis on appeal is EXTENDED to June 12, 2006.

Further, IT IS ORDERED that petitioner may have until June 12, 2006, in which to submit a trust fund account statement for the six- month period beginning approximately November 12, 2005 and ending approximately May 12, 2006, and an affidavit describing the issues he intends to raise on appeal. If, by June 12, 2006, petitioner fails to submit the required information, I will deny his request for leave to proceed in forma pauperis on appeal.

Entered this 25th day of May, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge