

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

RAYMOND BRESETTE,

Plaintiff,

v.

OFFICER STEVE KREWSON,
SHERIFF ROBERT FOLLIS,
CRAIG HAUKAAS and
JAIL ADMINISTRATOR LARRY WEBER,

Defendants.

ORDER

06-C-280-C

On March 12, 2007, I reserved a ruling on plaintiff's request for leave to proceed in forma pauperis on appeal. I noted that plaintiff does not have three strikes against him and that I did not intend to certify that his appeal is not taken in good faith. However, I could not determine whether plaintiff was eligible for indigent status on appeal because he had failed to submit a certified copy of his trust fund account statement for the six-month period immediately preceding the filing of his notice of appeal as required by 28 U.S.C. § 1915(a)(2). Therefore, I gave plaintiff until April 2, 2007, in which to submit a certified copy of his trust fund account statement for the period beginning approximately

September 12, 2006 to approximately March 12, 2007. I cautioned plaintiff that if, by April 2, 2007, he failed to submit the required statement or show cause for his failure to do so, then I would deny his request for leave to proceed in forma pauperis on appeal on the ground that he had failed to show that he is entitled to indigent status on appeal. Plaintiff has not submitted the required trust fund account statement.

Accordingly, IT IS ORDERED that plaintiff's request for leave to proceed in forma pauperis on appeal is DENIED for plaintiff's failure to show that he qualifies for indigent status on appeal. Nevertheless, plaintiff owes the \$455 fee for filing his appeal. In a separate letter to the warden of the Stanley Correctional Institution where plaintiff is presently confined, I am advising the warden of plaintiff's financial obligation in this case and requesting that the funds be taken from plaintiff's account in monthly installments pursuant to 28 U.S.C. § 1915(b)(2) until the \$455 fee is paid in full. In addition, I am asking that the clerk of court insure that plaintiff's obligation to pay the fee is noted in this court's financial records.

Entered this 10th day of April, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge