

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

When plaintiff failed to submit a trust fund account statement by April 2, 2007, so that I could assess him an initial partial payment of the fee for filing his appeal in this case, I entered an order on April 10, 2007, denying plaintiff's motion for leave to proceed in forma pauperis on appeal for his failure to show that he qualifies for indigent status. Now plaintiff has written a letter in which he explains why he did not submit the statement within the time allowed. I construe plaintiff's letter as containing two motions: 1) a motion for reconsideration of the April 10 order; and 2) a motion for an enlargement of time within which to submit the required trust fund account statement. Plaintiff's motions will be

granted.

Plaintiff has attached to his motion copies of “interview/information” request forms revealing his efforts to obtain a trust fund account statement. It appears that he began the quest by asking the records department at the Stanley Correctional Institution for the statement. The records department subsequently returned plaintiff’s request to him, telling him, “This is not records office issue. Write to inmate accounts.” Plaintiff addressed his next request to the “Accounting Business Office.” That office issued plaintiff a memo telling him that although it could not send the statement to his unit, it would send the statement directly to the court if he were to submit a stamped envelope addressed to the court. For reasons impossible to understand, plaintiff followed up this instruction by preparing another request for his statement and addressing it to the “Records Department Business Office.” That request was rejected with a memo stating, “This needs to go to the Business office, not Records.”

It seems obvious from plaintiff’s attachments that he is confused about what he needs to do to arrange for his statement to be sent here. As noted above, this is perplexing, because the “Inmate Accounts” office has explained to plaintiff that the statement will be issued once he submits a stamped envelope addressed to this court. Because it is clear that plaintiff has not abandoned his efforts to comply with this court’s request for his trust fund account statement, I will vacate the order of April 10, 2007, denying his request for leave to proceed

in forma pauperis on appeal. In addition, I will grant plaintiff one last opportunity to submit his statement.

ORDER

IT IS ORDERED that plaintiff's motion for reconsideration of this court's order of April 10, 2007, is GRANTED. The April 10, 2007 order is HEREBY VACATED.

Further, IT IS ORDERED that plaintiff's motion for an enlargement of time within which to submit a trust fund account statement beginning approximately September 12, 2006 and ending approximately March 12, 2007, is GRANTED. Plaintiff may have until May 14, 2007, in which to submit the required statement. He should do this by immediately sending his request to the "Inmate Accounts" office, together with a stamped envelope addressed to the District Court for the Western District of Wisconsin, P.O. Box 432, Madison, Wisconsin, 53701. If, by May 14, 2007, plaintiff fails to submit the required statement, I will once again deny his request for leave to proceed in forma pauperis on

appeal for his failure to show that he is entitled to indigent status.

Entered this 23d day of April, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge