

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

ANDREW JOSEPH SCHNEIDER,

Petitioner,

v.

CITY OF WEST BEND, CITY OF WEST
BEND POLICE DEPARTMENT, WASHINGTON
COUNTY, DAVID N. RETTLER and SPOUSE,
DAVID RESHESKE and SPOUSE, ERIC J.
SZATKOWSKI and SPOUSE, ROY R. KORTE
and SPOUSE, KENNETH J. MUELER and SPOUSE,
STEVE HOOGESTER and SPOUSE, DARYL W.
LAATSCH and SPOUSE, KATHRYN W. FOSTER
and SPOUSE, MATTHEW J. FRANK and SPOUSE,
KEVIN POTTER and POTTER, WISCONSIN
DEPARTMENT OF CORRECTIONS and THIRTY
(30) JOHN or JANE DOES,

Respondents.

ORDER

06-C-380-C

Petitioner Andrew Joseph Schneider has been directed to submit a trust fund account statement in support of his request for leave to proceed in forma pauperis in this case. His deadline to do so is August 18, 2006. Now petitioner has written the court to report that Theresa Peterson, the business manager at Oakhill Correctional Institution where petitioner

is confined, is refusing to send copies of petitioner's statement to him. According to petitioner, Peterson has advised him that although the copies have been made, she is not allowed to give them to petitioner. In petitioner's view, Peterson is attempting to obstruct his ability to prosecute this lawsuit. Therefore, he requests "an emergency writ of mandamus ordering Theresa Peterson to deliver the certified trust account statement(s) to plaintiff." Petitioner's request will be denied.

It is not uncommon for the business offices of the state's prisons to mail trust fund account statements directly to the district courts requesting them. Petitioner does not suggest that he has asked Peterson to mail the necessary statement to this court and that she is refusing to do so. His only complaint is that Peterson will not give the statements to him. This is insufficient to show that Peterson is preventing him from complying with this court's orders of July 18 and July 27, 2006.

ORDER

IT IS ORDERED that petitioner's request for an emergency writ of mandamus ordering Theresa Peterson to deliver a certified trust account statement to plaintiff is

DENIED. Petitioner's deadline for submitting the statement remains August 18, 2006.

Entered this 7th day of August, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge