

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

In response to this court's orders of July 18 and July 27, 2006, petitioner Andrew Joseph Schneider has submitted a trust fund account statement in support of his request for leave to proceed in forma pauperis in this case. Petitioner understands that because he is a prisoner, he is subject to the 1996 Prisoner Litigation Reform Act, which means that before

this court may decide whether he can proceed with his complaint in forma pauperis, he must make an initial partial payment of the \$350 fee for filing his complaint. In addition, he must pay the remainder of the fee in monthly installments even if his request for leave to proceed is denied. If petitioner does not have the money to make the initial partial payment in his regular account, he will have to arrange with prison authorities to pay some or all of the assessment from his release account. This does not mean that petitioner is free to ask prison authorities to pay *all* of his filing fee from his release account. The only amount petitioner must pay at this time is the amount of the initial partial payment, which I calculate to be \$2.32. Before prison officials take any portion of that amount from petitioner's release account, they may first take from petitioner's regular account whatever amount petitioner has in that account up to the full amount petitioner owes.

ORDER

IT IS ORDERED that petitioner is assessed \$2.32 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$2.32 on or before September 6, 2006. If, by September 6, 2006, petitioner fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 16th day of August, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge