

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

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JOSEPH REDMON,

Plaintiff,

v.

ORDER

HARLEY LAPIN, RICARDO MARTINEZ  
and PETER NALLY,

06-C-460-S

Defendants.

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Upon receipt of plaintiff's partial filing fee in the amount of \$33.13, the above entitled matter will be reopened. The Court addresses the merits of his initial complaint. According to 28 U.S.C. § 1915(b)(2), the institution's financial officer is authorized to deduct monthly payments from plaintiff's account until the \$350.00 filing fee is paid in full.

The Court addresses the merits of plaintiff's complaint. He alleges that he was denied admittance to the Residential Drug Abuse Program (RDAP) because of his race.

Plaintiff will be allowed to proceed on this equal protection claim against the named defendants who he alleges were involved in the decision to deny him admittance to RDAP.

ORDER

IT IS ORDERED that plaintiff is allowed to proceed on his equal protection claim against the defendants.

Redmon v. Lappin, et al., 06-C-460-S

The summons and complaint are being delivered to the United States Marshal for service on defendant Harley Lappin at 320 First Street, NW, Washington, D.C., 20534, on Ricardo Martinez, at FCI-Oxford and on Peter Nally, Gateway Towers II, 8<sup>th</sup> Floor, 400 State Avenue, Kansas City, Kansas, 66101.

Entered this 14<sup>th</sup> day of September, 2006.

BY THE COURT:

S/

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JOHN C. SHABAZ  
District Judge