

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

DEAN BENTER,

Petitioner,

v.

ORDER
06-C-709-S

MICHAEL S. MULROY, JESSICA
SKEMP and LACROSSE COUNTY,

Respondents.

Petitioner requests leave to proceed in forma pauperis. Attached to his affidavit of indigency is a proposed complaint.

Petitioner alleges that the LaCrosse County Judge Michael J. Mulroy and Assistant District Attorney are not informing of him of his court appearances. He is seeking dismissal of all the criminal charges against him.

Based on the relief petitioner is seeking his complaint is actually a petition for a writ of habeas corpus. To bring a petition for a writ of habeas corpus in this court he must first exhaust his state court remedies. Petitioner has not stated a claim for relief under federal law. Accordingly, petitioner's request to proceed in forma pauperis will be dismissed and denied without prejudice.

Petitioner is advised that in any future proceedings in this matter he must offer argument not cumulative of that already

provided to undermine this Court's conclusion that his claim must be dismissed. See Newlin v. Helman, 123 F.3d 429, 433 (7th Cir. 1997).

ORDER

IT IS ORDERED that petitioner's request to proceed in forma pauperis is DENIED and DISMISSED without prejudice.

Entered this 7th day of December, 2006.

BY THE COURT:

S/
JOHN C. SHABAZ
District Judge