

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

PEARL CISTRUNK,

Petitioner,

v.

LA PETITE ACADEMY,
MARCY CONWAY and
AMY JACOBAL,

Respondents.

ORDER

07-C-131-C

In this proposed civil action for monetary relief, petitioner Pearl Cistrunk alleges that respondent La Petite Academy terminated her employment because of her race in violation of Title VII of the Civil Rights Act of 1964 and that respondents Marcy Conway and Amy Jacobal terminated her in violation of her right to equal protection. Petitioner has requested leave to proceed in forma pauperis.

To determine whether a petitioner qualifies for indigent status, the court uses the following calculation: From petitioner's annual gross income, the court subtracts \$3400 for each dependent, excluding the petitioner. If the balance is less than \$15,000, the petitioner may proceed without any prepayment of fees and costs; if the balance is greater than

\$15,000 but less than \$28,000, the petitioner must prepay half the fees and costs; and if the balance is greater than \$28,000, the petitioner must prepay all fees and costs. Substantial assets or debts require individual consideration.

Although petitioner has submitted an affidavit of indigency, it is not signed. Moreover, the affidavit contains no information regarding where she receives the means to pay for her basic necessities, such as food, clothing and shelter. Without such information, I am unable to conclude that petitioner qualifies for indigent status.

Therefore, before I rule on petitioner's motion, I will provide her with the opportunity to supplement her request for leave to proceed in forma pauperis by completing the enclosed affidavit of indigency. In completing the affidavit, she should take care to show how she pays for her basic expenses.

ORDER

IT IS ORDERED that petitioner's request for leave to proceed in forma pauperis is STAYED. Petitioner may have until April 13, 2007, in which to submit a signed affidavit showing the dollar amounts of her monthly income and debts. If petitioner fails to provide the court with this information

by April 13, 2007, her request for leave to proceed in forma pauperis will be denied.

Entered this 28th day of March, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge