

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

KENNETH J. SPEARS,

Plaintiff,

v.

ORDER

STATE OF WISCONSIN, WISCONSIN
PAROLE COMMISSION, PROGRAM REVIEW
COMMITTEE and RICHARD SCHNEITER,

07-C-218-S

Defendants.

Upon receipt of plaintiff's partial filing fee in the amount of \$49.12, the Court addresses the merits of plaintiff's 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.

Although it is not completely clear it appears plaintiff wants to initiate criminal charges against the defendants and to commence a federal John Doe investigation. Only the United States attorney can initiate criminal proceedings in this Court. Rule 7(c)(1), Federal Rules of Criminal procedure. Accordingly, plaintiff's allegations do not support a claim for relief under federal law. His motions to compel disclosure of documents and for a federal John Doe investigation will be denied. As moot.

Plaintiff 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 plaintiff's complaint and all claims contained therein is DISMISSED without prejudice for failure to state a claim under federal law.

IT IS FURTHER ORDERED that plaintiff's motions to compel disclosure of documents and for a John Doe investigation are DENIED as moot.

IT IS FURTHER ORDERED that judgment be entered DISMISSING plaintiff's complaint and all claims contained therein without prejudice.

Entered this 24th day of April, 2007.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge