

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

RAYMOND BILL EVANS,

Petitioner,

v.

SAUK COUNTY SHERIFF;
DANE COUNTY SHERIFF;
JOHN DOE/DOCTOR;
JOHN DOE MEDICAL CONTRACTOR;

Respondents.

ORDER

07-C-328-C

On July 25, 2007, this case was closed because petitioner conceded that he was unable to pay the initial partial payment he had been assessed in the amount of \$9.89 by the deadline established by the court. I advised petitioner that although I was closing the case, it would be reopened promptly upon his submission of the initial partial payment, unless the submission were so tardy as to require reassessment using an updated trust fund account statement. Now petitioner has filed a motion for reconsideration of the decision to close his case pending his submission of the required initial partial payment. He suggests that he fully intended to come up with the initial partial payment by the original deadline of August 8,

2007. However, it is now August 10, 2007, and petitioner's initial partial payment still has not been received by the court. Therefore, there is no basis on which to reconsider the decision to close this case. In any event, petitioner is not prejudiced by the closure. If he makes the initial partial payment within the next few weeks, I will reopen his case promptly and take his complaint under advisement for screening as required by 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that petitioner's motion for reconsideration of the July 25, 2007 decision to close this case without prejudice is DENIED.

Entered this 10th day of August, 2007.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge