

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

CHRISTOPHER DENMAN,

Petitioner,

v.

SAUK COUNTY,
STATE OF WISCONSIN, and
SHERIFF OF SAUK COUNTY,

Respondents.

ORDER

07-C-503-C

Petitioner Christopher Denman, a prisoner at the Sauk county jail in Baraboo, Wisconsin, has submitted a proposed complaint. He requests leave to proceed in forma pauperis. A decision on the request will be delayed until petitioner pays an initial partial payment of the \$350 filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Petitioner's initial partial payment cannot be calculated at this time because he has not submitted a trust fund account statement with his complaint.

Petitioner's complaint was submitted on September 10, 2007. Ordinarily, a trust fund account statement should cover the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2). In this case, however, petitioner alleges that he

was not arrested and brought to the jail until June 1, 2007. Therefore, petitioner's trust fund account statement need cover the period between June 1, 2007 and September 10, 2007 only. Once petitioner has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under § 1915(e)(2).

ORDER

IT IS ORDERED that petitioner may have until October 2, 2007, in which to submit a certified trust fund account statement for the period beginning June 1, 2007 and ending September 10, 2007. If, by October 2, 2007, petitioner fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 11th day of September, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge