

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

SERGEY V. ANDREYEV,

Plaintiff,

v.

ORDER

09-cv-651-slc

BRIAN KJORLIE, ROBERT KIEFER, MATTHEW
EARLL, CHRISTOPHER KUHL, KIMBERLY
STILWELL, CURTIS DEBOER, ROBERT ZANON,
HOLLEY DORNFELD, JOSH BRANDSMA,
MICHAEL SCHLIESMAN, DAVID WEGNER,
SUSAN ROBERTS, ALEX AGNEW, SUSAN
BARTON, JUDY WEISS(n/k/a Judy Belike), and
JACOB PARKER,

Defendants.

As directed in this court's order of January 18, 2011, plaintiff Sergey Andreyev has submitted a certified copy of his trust fund account statement so that a determination may be made whether he is indigent for the purpose of proceeding on appeal *in forma pauperis* and if he is, what amount must be assessed under the 1996 Prison Litigation Reform Act as an initial partial payment of the fee for filing his appeal. In the January 18 order, I found that plaintiff's appeal is not taken in bad faith and that he is not barred by the three strikes provision of 28 U.S.C. § 1915(g) from proceeding with his appeal *in forma pauperis*.

From plaintiff's trust fund account statement, I conclude that he qualifies for indigent status. Further, I assess plaintiff an initial partial payment of the \$455 fee for filing his appeal in the amount of \$14.00.

IT IS ORDERED that plaintiff Sergey Andreyev's request for leave to proceed *in forma pauperis* on appeal is GRANTED. Plaintiff may have until February 28, 2011, in which to submit a check or money order made payable to the clerk of court in the amount of \$14.00. If, by February 28, 2011, plaintiff fails to pay the initial partial payment or explain his failure to do

so, then I will advise the court of appeals of his noncompliance in paying the assessment so that it may take whatever steps it deems appropriate with respect to this appeal.

Further, the clerk of court is requested to insure that the court's financial records reflect plaintiff's obligation to pay the \$14.00 initial partial payment and the remainder of the \$455 fee in monthly installments.

Entered this 7th day of February, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge