

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

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JONATHAN L. LIEBZEIT,

Plaintiff,

v.

MICHAEL THURMER and SAM APPAU,

Defendants.

ORDER

10-cv-170-slc

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On January 11, 2011, I denied plaintiff's motion to use his release funds to pay for photocopies and postage. Now, plaintiff moves reconsideration, contending that the court cited the incorrect state regulation.

As plaintiff points out the new regulation § 309.466(2) states as follows:

Prior to release, the department may authorize the disbursement of release account funds for purposes that will aid the inmate's reintegration into the community or that will reimburse the department for incarceration costs, including legal loans and restitution.

Plaintiff contends that this regulation allows him to use his funds for costs that would be covered by a legal loan because a legal loan can be reimbursed by the use of release funds prior to release. This argument is not persuasive. Moreover, state law governs the use of release fund and this court will not order release funds to be used for the purpose of paying for photocopies and postage. Therefore, IT IS ORDERED that plaintiff Jonathan Liebzeit's motion for reconsideration, dkt. 84, is DENIED.

Entered this 18<sup>th</sup> day of January, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge