

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

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TIMOTHY DONYALE THOMAS,

Plaintiff,

v.

WIS. D.O.C. OFFICER KOESTER  
and SERGEANT WITSCHER,

Defendants.

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ORDER

11-cv-145-wmc

In an order entered in this case on March 2, 2011, I told plaintiff Timothy Thomas that before I could consider his request to proceed *in forma pauperis* he would have to submit a trust fund account statement covering the six-month period preceding the filing of his complaint so that I could assess an initial partial payment of the \$350 fee for filing this case. Plaintiff has submitted the requested statement. From the statement, I have calculated plaintiff's initial partial payment to be \$32.51. If plaintiff wishes to proceed with this lawsuit, he will have to pay the \$32.51 initial partial payment even though he has recently been released from prison.

ORDER

IT IS ORDERED that plaintiff is assessed \$32.51 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$32.51 on or before April 5, 2011. If, by April 5, 2011, plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 17<sup>th</sup> day of March, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge