

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

SEBASTIAN PARKER,

Plaintiff,

v.

MARY LISER, TOM ROSS and
STATE EMPLOYEES,

Defendants.

ORDER

11-cv-527-slc

On July 26, 2011, I directed plaintiff Sebastian Parker to submit his six-month trust fund account statement so that I could assess an initial partial payment of the \$350 fee for filing this case. In response to July 26 order, plaintiff has submitted a one-month statement covering the period from May 1, 2011 to May 31, 2011 along with a letter in which he says that he is unable to send a six-month statement because he is indigent. I will construe plaintiff's letter as a motion for an extension of time to submit the required statement and I will extend plaintiff's deadline to submit his trust fund account statement until September 2, 2011.

According to 28 U.S.C. § 1915 (a)(2), a prisoner's account statement must be for the six-month period immediately preceding the filing of the complaint. Congress has dictated the manner in which how fees are calculated for prisoners filing federal lawsuits and appeals, and I have no discretion to modify this method. Therefore, if plaintiff intends to pursue his request to proceed *in forma pauperis* in this lawsuit, he will need to submit a full six-month trust fund account statement that covers the period beginning January 21, 2011 and ending July 21, 2011. Once plaintiff 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). If plaintiff fails to provide his statement, this case will be closed.

ORDER

IT IS ORDERED that plaintiff Sebastian Parker is GRANTED an enlargement of time to September 1, 2011, in which to submit a trust fund account statement covering the period beginning approximately January 21, 2011 and ending approximately July 21, 2009. If, by September 2, 2011, plaintiff fails to respond to this order, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 19th day of August, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge