

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

NORMAN C. KRUGER,

Petitioner,

v.

ORDER

12-cv-690-wmc

COLUMBIA COUNTY CIRCUIT COURT
JUDGE VOIGT, FARMERS AND
MERCHANTS UNION BANK, DOUGLAS
LAMBERT, DODGE COUNTY SHERIFF'S
DEPARTMENT and COLUMBIA COUNTY
SHERIFF DEPARTMENT,

Respondents.

Petitioner Norman Kruger has filed a writ of mandamus. Petitioner seeks to commence this lawsuit without prepayment of the filing fees and costs or providing security therefor, pursuant to 28 U.S.C. § 1915. The standard for determining whether petitioner qualifies for indigent status is the following:

- From petitioner's annual gross income, the court subtracts \$3700 for each dependent excluding the petitioner.
- If the balance is less than \$16,000, the petitioner may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the petitioner must prepay half the fees and costs.
- If the balance is greater than \$32,000, the petitioner must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, petitioner has no dependents. His affidavit of indigency states that he has a monthly income of \$1,360 or an annual income of \$16,320. Petitioner does not have

substantial debts or assets that require consideration. Therefore, I conclude that petitioner is able to prepay half the fees and costs of commencing this action in the amount of \$175.

ORDER

IT IS ORDERED that petitioner Norman Krueger may have until October 16, 2012, in which to submit the \$175 prepayment of the filing fee for this lawsuit. If, by October 16, 2012, petitioner fails to submit this prepayment, the clerk of court is directed to enter judgment dismissing this case without prejudice for petitioner's failure to prosecute it.

Entered this 24th day of September, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge