

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Marcus O. Singleton v. Ismael R. Ozanne

Singleton v. Ozanne · No. 25-cv-915-wmc · Decided November 21, 2025

SUMMARY

The United States District Court for the Western District of Wisconsin assesses Marcus O. Singleton an initial partial filing-fee payment of \$7.53 under the Prison Litigation Reform Act. The court directs Singleton to pay by December 17, 2025 or explain his inability to do so, and states that failure to comply may result in voluntary dismissal without prejudice. Further proceedings are stayed pending payment and statutory screening of the complaint.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	Andrew R. Wiseman
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	November 21, 2025
DOCKET	25-cv-915-wmc
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to proceed without prepaying the filing fee and submitted a certified inmate trust fund account statement. The court addressed the required initial partial filing-fee payment before screening the complaint.
STANDARD OF REVIEW	The court applied the statutory procedure governing indigent prisoner filing fees under 28 U.S.C. § 1915(b)(1) and complaint screening under 28 U.S.C. § 1915(e)(2).
PRECEDENTIAL VALUE	Unknown; district court order

TOPICS

- prisoners rights
- civil procedure
- civil rights

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether the prisoner plaintiff should be permitted to proceed without prepaying the full filing fee subject to an initial partial payment under 28 U.S.C. § 1915(b)(1).
2. What initial partial filing-fee payment should be assessed based on the plaintiff's inmate trust fund account statement.
3. What consequence should follow if the plaintiff fails to pay the initial partial payment or show cause for nonpayment.

HOLDINGS

1. A prisoner proceeding without prepaying the filing fee must pay an initial partial payment pursuant to 28 U.S.C. § 1915(b)(1), even if the prisoner qualifies for indigent status.
2. The plaintiff is assessed an initial partial filing-fee payment of \$7.53.
3. If the plaintiff fails to pay the initial partial payment by December 17, 2025, or fails to show cause why payment cannot be made, the action will be treated as voluntarily withdrawn and dismissed without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i), subject to the court's stated reopening conditions.

FACTUAL BACKGROUND

Marcus O. Singleton, a prisoner, submitted a certified inmate trust fund account statement in support of his request to proceed without prepaying the filing fee. Based on the account information, the court calculated his initial partial payment at \$7.53. The court directed that the payment could be drawn from the prisoner's regular account and, if necessary, release account.

PROCEDURAL HISTORY

This action was filed in the Western District of Wisconsin. The court determined the plaintiff qualified for consideration of indigent status, calculated an initial partial payment of \$7.53, and ordered payment by December 17, 2025. The court stayed further action pending payment and screening under the Prison Litigation Reform Act, and conditionally stated that failure to pay or show cause would result in voluntary dismissal without prejudice.

DISPOSITION

other

CASES CITED

- Carter v. Bennett, 399 F. Supp. 2d 936, 937 (W.D. Wis. 2005)

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