

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Javon Grayson-Morrow v. Marathon County Circuit Court, et al.

Grayson-Morrow · No. 26-cv-271-jdp · Decided April 2, 2026

SUMMARY

The court assesses plaintiff Javon Grayson-Morrow an initial partial filing-fee payment of \$12.82 under 28 U.S.C. § 1915(b)(1). The order requires payment by April 27, 2026, or a written explanation of inability to pay, and pauses further proceedings pending payment and statutory screening. Failure to pay or show cause may result in voluntary dismissal without prejudice.

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	April 2, 2026
DOCKET	26-cv-271-jdp
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a prisoner, moved for leave to proceed without prepaying the filing fee and submitted a certified inmate trust fund account statement. The court assessed an initial partial filing-fee payment and stayed further action pending payment and statutory screening.
PRECEDENTIAL VALUE	Nonprecedential district court order
PARTIES	Javon Grayson-Morrow v. Marathon County Circuit Court, et al.

TOPICS

prisoners rights

civil procedure

PRACTICE AREAS

civil procedure

prisoner litigation

filing fees and in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether plaintiff qualified to proceed without prepaying the filing fee and, if so, what initial partial payment was required under 28 U.S.C. § 1915(b)(1).
2. What procedural consequences would follow if plaintiff failed to pay the initial partial filing fee or show cause for nonpayment.

HOLDINGS

1. A prisoner litigant proceeding without prepaying the filing fee must pay an initial partial filing fee under 28 U.S.C. § 1915(b)(1), and plaintiff's account information supported an initial partial payment of \$12.82.
2. If plaintiff fails to submit the \$12.82 initial partial payment by April 27, 2026, or fails to show cause for nonpayment, the action will be treated as voluntarily withdrawn and dismissed without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i), subject to the order's reopening conditions.

FACTUAL BACKGROUND

Javon Grayson-Morrow is an inmate who submitted a certified trust fund account statement in support of a motion to proceed without prepaying the filing fee. The court used the account information to calculate an initial partial payment of \$12.82. The order also addressed the source of payment if funds were insufficient in the inmate's regular account.

PROCEDURAL HISTORY

Plaintiff filed this civil action and sought indigent status. After reviewing the certified inmate trust fund account statement, the court calculated an initial partial payment of \$12.82, ordered payment by April 27, 2026, and stated that the complaint would be screened under the Prison Litigation Reform Act after payment. The court warned that failure to pay or show cause would be treated as a voluntary withdrawal and would result in dismissal without prejudice, subject to reopening under the specified conditions.

DISPOSITION

other

CASES CITED

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

OPINION

Javon Grayson-Morrow v. Marathon County Circuit Court, et al

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

JAVON GRAYSON-MORROW,

Plaintiff, ORDER v. Case No. 26-cv-271-jdp

MARATHON COUNTY CIRCUIT COURT, et al,

Defendants. Plaintiff Javon Grayson-Morrow has submitted a certified inmate trust fund account statement in support of a motion for leave to proceed without prepaying the filing fee. The court must now determine whether plaintiff qualifies for indigent status and, if so, calculate an initial partial payment of the filing fee. Even when a prisoner litigant qualifies for indigent status, the litigant must pay a portion of the filing fee pursuant to 28 U.S.C. § 1915(b)(1). Using information from plaintiff's trust fund account statement, I have calculated plaintiff's initial partial payment to be \$12.82. For this case to proceed, plaintiff must submit this amount on or before April 27, 2026. If plaintiff does not have sufficient funds in a regular inmate account to make the initial partial payment, then plaintiff should arrange with prison officials to make the payment from a release account. However, prison officials will draw funds first from plaintiff's regular account and any portion of the initial partial payment remaining from plaintiff's release account. *Carter v. Bennett*, 399 F. Supp. 2d 936, 937 (W.D. Wis. 2005).

ORDER

IT IS ORDERED that:

1. Plaintiff Javon Grayson-Morrow is assessed an initial partial payment of \$12.82.

Plaintiff must submit a check or money order payable to the clerk of court by April 27, 2026 or advise the court in writing why plaintiff is not able to make the initial partial payment.

2. No further action will be taken in this case until the clerk's office receives the initial partial payment as directed above and the court has screened the complaint as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, the court will issue a separate order.

2. If plaintiff fails to make the initial partial payment by April 27, 2026, or fails to show cause why the payment could not be made, then I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be dismissed without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i). If plaintiff submits the initial partial payment within 30 days of dismissal, the case will be reopened. The court will not reopen the case after 30 days unless plaintiff makes a showing that they are entitled to relief under Federal Rule of Civil Procedure 60(b). Entered this 2nd day of April, 2026. BY THE COURT: /s/

ANDREW R. WISEMAN

United States Magistrate Judge