

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
ILLINOIS, ROCK ISLAND DIVISION**

Powers v. Osmundson

No. 4:25-cv-04236-JEH (C.D. Ill. Jan. 5, 2026) · No. 4:25-cv-04236-JEH · Decided January 5, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF ILLINOIS
ROCK ISLAND DIVISION THOMAS POWERS, Plaintiff, v. Case No. 4:25-cv-04236-JEH
KURT OSMUNDSON, Defendant. Order On December 30, 2025, Plaintiff Thomas Powers, who
is civilly detained at the Rushville Treatment and Detention Facility, filed a Complaint under 42
U.S.C. § 1983 alleging Defendant Dr. Kurt Osmundson violated his constitutional rights.

(Doc. 1). Instead of paying the \$405 filing fee, Plaintiff filed a Motion for Leave to Proceed in
forma pauperis (“IFP”) indicating that he lacks sufficient funds to pay the filing fee. (Doc. 3).
However, the Seventh Circuit has restricted Plaintiff’s ability to proceed IFP in any new case he
files. Specifically, on October 24, 2022, the Seventh Circuit noted as follows: [Plaintiff] has not
shown that he has made his best efforts to pay his outstanding fees or that he will refrain from the
actions that led to the filing bar.

If Powers, no earlier than two years from the date of this order and despite his best efforts is
unable to pay in full all outstanding filing fees, he is authorized to submit to this court another
motion to modify or rescind the filing bar. See *In re City of Chicago*, 500 F.3d 582, 583 (7th Cir.
2007); *Support Sys. Int’l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir.

1995) (per curiam). If [Plaintiff] chooses to file another motion to rescind or modify the filing bar
in two years, he should include a copy of his resident account statement showing all transactions
to and from his account for the prior six months and explain: (1) what efforts he has taken to pay
his outstanding fees, (2) whether he intends to comply with the district court’s instructions in 19-
cv-4090 to inform that court of any outstanding court fees if he files any lawsuits in the future,
and (3) whether he intends to fully disclose all settlement payments, gifts, and money received
from other sources when he seeks to proceed in forma pauperis in any court.

Powers v. Wilcoxon, Seventh Circuit Case No. 19-2478. On November 22, 2024, the Seventh
Circuit denied Plaintiff’s motion to rescind his filing ban until he pays all outstanding fees and
costs owed by him, extending his filing fee ban for an additional two years. *Powers v. McCoy*,
Seventh Circuit Case Number 19-2804. (Doc. 5).

In so doing, the Seventh Circuit noted: “Appellant Thomas Powers again has not shown that he
will refrain from the actions that led to the restriction on proceeding in forma pauperis in any case

or appeal until he pays all outstanding fees and costs.” Id. at p. 2. This Court consulted the Seventh Circuit’s filing system and verified the Seventh Circuit has not lifted Plaintiff’s filing ban.

In addition, Plaintiff did not demonstrate to this Court that the Seventh Circuit lifted his ban or otherwise authorized him to obtain IFP status in order to file this lawsuit. Without taking any position on the validity of Plaintiff’s allegations or if his Complaint states a claim upon which relief can be granted, the Court dismisses this case because the United States Court of Appeals for the Seventh Circuit has restricted Plaintiff from proceeding IFP on any new lawsuits that he files in federal district courts within this Circuit.

IT IS THEREFORE ORDERED: 1) Plaintiff’s Motion for Leave to Proceed in forma pauperis [3] is DENIED. 2) This case is DISMISSED WITHOUT PREJUDICE based upon Plaintiff’s failure to pay the required \$405.00 filing fee. 3) Plaintiff may move to re-open this case within 14 days from the date of this Order. If he moves to re-open this case, Plaintiff’s motion must be accompanied by the \$405.00 filing fee or an Order from the Seventh Circuit demonstrating that the Seventh Circuit has lifted its IFP ban.

Otherwise, this case will remain closed. 4) The Clerk of the Court is DIRECTED to close this case. No judgment to enter. It is so ordered. Entered: January 5, 2026 s/Jonathan E. Hawley U.S. District Judge