

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Carl F. Self v. Lt. Cormican, et al.

Self v. Cormican · No. 25-cv-1027-wmc · Decided January 6, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin orders plaintiff Carl F. Self to pay an initial partial filing fee of \$79.53 under 28 U.S.C. § 1915(b)(1) by February 3, 2026, or explain his inability to do so. The court stays further action pending payment and screening, and warns that failure to pay or show cause will result in dismissal without prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	Andrew R. Wiseman
DECIDED	January 6, 2026
DOCKET	25-cv-1027-wmc
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a prisoner litigant, sought 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 under the Prison Litigation Reform Act and stayed further action pending payment and statutory screening.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Carl F. Self v. Lt. Cormican, et al.

TOPICS

prisoners rights

civil procedure

costs

PRACTICE AREAS

Prison Litigation Reform Act

in forma pauperis proceedings

prisoner civil rights litigation

QUESTIONS PRESENTED

- Whether plaintiff qualified to proceed without prepaying the full filing fee while remaining subject to the Prison Litigation Reform Act's initial partial payment requirement.

2. What amount should be assessed as plaintiff's initial partial filing-fee payment and what consequence should follow if he failed to pay or show cause.

HOLDINGS

1. A prisoner litigant who qualifies to proceed without prepaying the full filing fee must pay an initial partial filing fee under 28 U.S.C. § 1915(b)(1).
2. Plaintiff was assessed an initial partial filing-fee payment of \$79.53, due by February 3, 2026, unless he explained why he could not pay.
3. If plaintiff failed to make the initial partial payment by February 3, 2026, or failed to show cause for nonpayment, the court would treat the failure as an indication that he wished to withdraw the action and would dismiss the case without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i), subject to limited reopening conditions.

FACTUAL BACKGROUND

Carl F. Self is an inmate who brought this action against Lt. Cormican and other defendants. He requested leave to proceed without prepaying the filing fee and submitted a certified inmate trust fund account statement. Based on that statement, the court calculated an initial partial payment of \$79.53.

PROCEDURAL HISTORY

The action was filed in the United States District Court for the Western District of Wisconsin. After plaintiff submitted his inmate trust fund account statement, the court calculated an initial partial filing-fee payment of \$79.53, ordered payment or an explanation of inability to pay by February 3, 2026, and stated that the complaint would be screened after the payment issue was resolved.

DISPOSITION

other

CASES CITED

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

OPINION

Cormican

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

CARL F. SELF,

Plaintiff, ORDER v. Case No. 25-cv-1027-wmc LT. CORMICAN, et al. Defendants. Plaintiff Carl F. Self 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 \$79.53. For this case to proceed, plaintiff must submit this amount on or before February 3, 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 Carl F. Self is assessed an initial partial payment of \$79.53. Plaintiff must submit a check or money order payable to the clerk of court by February 3, 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 February 3, 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 6th day of January, 2026. BY THE COURT: /s/

ANDREW R. WISEMAN

United States Magistrate Judge