

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Rodell Thompson v. John and Jane Doe, RN, et al.

Thompson · No. 25-cv-758-jdp · Decided April 1, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin denied Rodell Thompson’s motion to direct prison officials to pay the remainder of his federal filing fee from his release account. The court explained that under the Prison Litigation Reform Act, filing fees are collected through an initial partial payment and monthly installments, with funds drawn first from the prisoner’s regular account and any remaining initial payment from the release account.

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 1, 2026
DOCKET	25-cv-758-jdp
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for an order directing prison officials to pay the remainder of his federal filing fee from his prison release account.
PRECEDENTIAL VALUE	Unknown

TOPICS

prisoners rightscivil procedure

PRACTICE AREAS

prisoner litigationcivil procedurecivil rights

QUESTIONS PRESENTED

- Whether the Prison Litigation Reform Act permits a prisoner to pay the remaining balance of a federal filing fee from funds accumulated in a prison release account.

HOLDINGS

1. The court denied the motion because the Prison Litigation Reform Act requires payment of the filing fee through the statutory initial-payment and monthly-installment process and does not require the state to permit a prisoner to pay the remaining balance from money carried over in a release account.

KEY QUOTATIONS

“'[N]othing in the fee collection provision of § 1915 can be read as requiring the state to allow a prisoner to pay off the balance of a federal court filing fee from money carried over several months in [a] release account.'”

FACTUAL BACKGROUND

Plaintiff was assessed an initial partial payment toward the \$350 filing fee required for his federal action and paid that amount. He subsequently made monthly installment payments and asked the court to direct prison officials to use funds from his release account to pay the remaining balance.

PROCEDURAL HISTORY

The court previously assessed plaintiff an initial partial filing-fee payment under the Prison Litigation Reform Act, and plaintiff paid that amount. Plaintiff had also been making monthly installment payments, but sought to pay the remaining balance from his release account; the court denied the motion.

DISPOSITION

other

CASES CITED

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

OPINION

Rodell Thompson v. John and Jane Doe, RN, et al.

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

RODELL THOMPSON,

Plaintiff, ORDER v. Case No. 25-cv-758-jdp JOHN AND JANE DOE, RN, et al. Defendants. On September 23, 2025, I entered an order assessing plaintiff an initial partial payment of the \$350 filing fee for this case, which plaintiff has paid. Plaintiff has been making monthly installment payments since then. Now plaintiff has filed a motion for an order directing prison officials to pay the remainder of the filing fee from plaintiff’s release account. Under the Prison Litigation Reform Act, an inmate who files a lawsuit in federal court under the in forma pauperis statute, 28 U.S.C. § 1915, must pay the \$350 filing fee, first by making an initial partial payment under § 1915(b)(1), and then by paying the remainder of the filing fee in monthly installments under § 1915(b)(2). If a

prisoner does not have sufficient funds in a regular inmate account to make the initial partial payment, then the prisoner may withdraw funds from a release account. However, prison officials will draw funds first from the prisoner's regular account and any portion of the initial partial payment remaining from the prisoner's release account. *Carter v. Bennett*, 399 F. Supp. 2d 936, 937 (W.D. Wis. 2005). "[N]othing in the fee collection provision of § 1915 can be read as requiring the state to allow a prisoner to pay off the balance of a federal court filing fee from money carried over several months in [a] release account." *Id.* Accordingly, plaintiff's motion to pay the remainder of the filing fee from a release account is denied.

ORDER

IT IS ORDERED that plaintiff Rodell Thompson's motion for an order directing prison officials to pay the remainder of the filing fee for this case from plaintiff's release account is DENIED.

Entered this 1st day of April, 2026. BY THE COURT: /s/

ANDREW R. WISEMAN

United States Magistrate Judge