

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Sean W. Moore v. Sheriff Richard Meister, et al.

Moore v. Meister · No. 26-cv-146-jdp · Decided March 23, 2026

SUMMARY

The court assesses plaintiff Sean W. Moore an initial partial filing-fee payment of \$48.67 under 28 U.S.C. § 1915(b)(1). The order requires payment or an explanation by April 20, 2026, and states that failure to comply may 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
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	March 23, 2026
DOCKET	26-cv-146-jdp
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff submitted a certified inmate trust fund account statement in support of a motion for leave to proceed without prepaying the filing fee. The court issued an order determining the initial partial filing-fee payment required before the action could proceed.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order

TOPICS

prisoners rights

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether plaintiff qualified to proceed without prepaying the full filing fee and, if so, what initial partial payment was required under the Prison Litigation Reform Act.

2. What procedural consequence would follow if plaintiff failed to pay the initial partial payment or show cause for nonpayment.

HOLDINGS

1. Under 28 U.S.C. § 1915(b)(1), an inmate proceeding without prepaying the full filing fee must pay an initial partial payment; based on plaintiff's trust fund account statement, the required amount was \$48.67.
2. If plaintiff failed to submit the \$48.67 initial partial payment by April 20, 2026, or show cause for failing to do so, the court would treat the failure as a voluntary withdrawal and dismiss the action without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i), subject to the stated reopening conditions.

KEY QUOTATIONS

"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)."

FACTUAL BACKGROUND

Plaintiff is an inmate who submitted a certified trust fund account statement in support of proceeding without prepaying the filing fee. Based on the information in that statement, the court calculated an initial partial payment of \$48.67. The order also addressed how prison officials should draw funds if the plaintiff lacked sufficient funds in his regular inmate account.

PROCEDURAL HISTORY

Sean W. Moore initiated this prisoner civil-rights action and sought leave to proceed without prepaying the filing fee. After reviewing his certified inmate trust fund account statement, the court assessed an initial partial payment of \$48.67, stayed further action pending payment and screening, and warned that failure to pay or show cause would be treated as a voluntary withdrawal and result in dismissal without prejudice.

DISPOSITION

other

CASES CITED

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

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