

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Gordon Laakso v. Officer Ms. Bluem

Laakso v. Bluem · No. 26-cv-415-wmc · Decided May 28, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin grants Gordon Laakso leave to proceed without prepaying the filing fee in his 42 U.S.C. § 1983 action. The court assesses an initial partial filing-fee payment of \$53.70, due by June 22, 2026, and states that failure to pay or show cause 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	May 28, 2026
DOCKET	26-cv-415-wmc
DISPOSITION	other
PROCEDURAL POSTURE	A prisoner plaintiff submitted a proposed action under 42 U.S.C. § 1983, moved to proceed without prepaying the filing fee, and submitted a certified trust-fund-account statement. The court granted indigent status, assessed an initial partial filing-fee payment, and held further proceedings pending payment and screening.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Gordon Laakso v. Officer Ms. Bluem

TOPICS

prisoners rights section 1983 civil procedure pleadings

PRACTICE AREAS

prisoner civil rights in forma pauperis procedure civil procedure

QUESTIONS PRESENTED

1. Whether the incarcerated plaintiff qualified to proceed without prepaying the filing fee.
2. Whether the plaintiff was required to pay an initial partial filing fee under the Prison Litigation Reform Act.
3. What consequence should follow if the plaintiff failed to make the initial partial payment or show cause for nonpayment.

HOLDINGS

1. The plaintiff qualifies for indigent status and may proceed without prepaying the entire filing fee.
2. Even when a prisoner qualifies for indigent status, the prisoner must pay an initial partial filing fee pursuant to 28 U.S.C. § 1915(b)(1). The plaintiff's initial partial payment was \$53.70.
3. If the plaintiff fails to pay the initial partial payment by the deadline or show cause for nonpayment, the court will treat the failure as a voluntary withdrawal and dismiss the action without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i).

FACTUAL BACKGROUND

Plaintiff Gordon Laakso is incarcerated in the custody of the Wisconsin Department of Corrections. He submitted a proposed civil action under 42 U.S.C. § 1983, a motion to proceed without prepaying the filing fee, and a certified trust-fund-account statement covering the preceding six months. Based on that account information, the court calculated an initial partial filing-fee payment of \$53.70.

PROCEDURAL HISTORY

Gordon Laakso initiated a proposed prisoner civil-rights action and sought leave to proceed without prepaying the filing fee. The court determined that he qualified for indigent status, calculated an initial partial payment of \$53.70, and ordered payment by June 22, 2026. The court stated that failure to pay or show cause would result in an assumed voluntary withdrawal and dismissal without prejudice, subject to limited reopening provisions.

DISPOSITION

other

CASES CITED

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

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN GORDON LAAKSO, Plaintiff, ORDER v. Case No. 26-cv-415-wmc OFFICER MS. BLUEM, Defendant. Plaintiff Gordon Laakso, a prisoner in the custody of the Wisconsin Department of Corrections, has submitted a proposed civil action under 42 U.S.C. § 1983. Plaintiff

has filed a certified copy of a trust fund account statement and a motion for leave to proceed without prepaying the filing fee.

After considering the motion and supporting documentation, I conclude that plaintiff qualifies for indigent status. 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 the plaintiff's trust fund account statement for the six-month period preceding the complaint, I have calculated the initial partial payment to be \$53.70.

For this case to proceed, plaintiff must submit this amount on or before June 22, 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 authorities to make the payment 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). ORDER IT IS ORDERED that: 1. Plaintiff Gordon Laakso is assessed an initial partial payment of \$53.70. Plaintiff must submit a check or money order payable to the clerk of court by June 22, 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. 3. If plaintiff fails to make the initial partial payment by June 22, 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 28th day of May, 2026.
BY THE COURT: /s/ ANDREW R. WISEMAN United States Magistrate Judge