

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

ORDER

January 23, 2019

Before

FRANK H. EASTERBROOK, *Circuit Judge*
MICHAEL S. KANNE, *Circuit Judge*
ILANA DIAMOND ROVNER, *Circuit Judge*

No. 18-3326	TONY D. WALKER, Plaintiff - Appellant v. STATE OF WISCONSIN, et al. Defendants - Appellees
Originating Case Information:	
District Court No: 2:18-cv-00357-LA Eastern District of Wisconsin District Judge Lynn Adelman	

The following are before the court:

1. MEMORANDUM IN SUPPORT OF PLRA MOTION FOR LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS, filed on January 3, 2019, by pro se Appellant.
2. AFFIDAVIT ACCOMPANYING MOTION FOR PERMISSION TO APPEAL IN FORMA PAUPERIS, filed on January 3, 2019, by pro se Appellant.

Upon consideration of the appellant's motions, the district court's order certifying that the appellant has three strikes pursuant to 28 U.S.C. § 1915(g) and has not demonstrated imminent danger of a serious physical injury, *see Taylor v. Watkins*, 623 F.3d 483 (7th Cir. 2010), and the record on appeal,

IT IS ORDERED that the motion for leave to proceed on appeal in forma pauperis is **DENIED**. *See Lee v. Clinton*, 209 F.3d 1025 (7th Cir. 2000). Appellant Walker has not raised a good faith issue that the district court erred in granting summary judgment in favor of the defendants.

Walker shall pay the required docketing fee within 14 days, or this appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b). See *Newlin v. Helman*, 123 F.3d 429, 434 (7th Cir. 1997).

Unpaid docket fees incurred by litigants subject to § 1915(g) lead straight to an order forbidding further litigation. See *Newlin*, 123 F.3d at 436-37. Accordingly, until Walker has paid in full all outstanding fees in the district court and in this court, the clerks of all federal courts in this circuit will return unfiled any papers submitted either directly or indirectly by or on behalf of Walker. See *Sloan v. Lesza*, 181 F.3d 857, 859 (7th Cir. 1999). This order does not apply to criminal cases or petitions challenging the terms of his confinement, and may be reexamined in two years under the approach of *Newlin*, 123 F.3d at 436-37, and *Support Systems Int'l Inc. v. Mack*, 45 F.3d 185, 186-87 (7th Cir. 1995) (per curiam).

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UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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ORDER

February 4, 2019

Before

ILANA DIAMOND ROVNER, *Circuit Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

No. 18-3419	TONY D. WALKER, Plaintiff - Appellant v. GREEN BAY CORRECTIONAL INSTITUTION HEALTH SERVICES UNIT, et al., Defendants - Appellees
No. 18-3445	TONY D. WALKER, Plaintiff - Appellant v. GREEN BAY CORRECTIONAL INSTITUTION HEALTH SERVICES UNIT, et al., Defendants - Appellees
Originating Case Information:	
District Court No: 2:16-cv-01331-LA Eastern District of Wisconsin District Judge Lynn Adelman	

The following is before the court: **APPELLANT'S RESPONSE TO COURT'S NOVEMBER 13, 2018 PLRA FEE ORDER**, filed on November 28, 2018, by the pro se appellant, in appeal no. 18-3445.

On November 10, 2018, appellant Tony Walker filed a notice of appeal from the district court's order granting the defendants' summary judgment motion and appeal no. 18-3419 was opened. On November 14, 2018, Walker filed a notice of appeal from the summary judgment order and the district court's denial of his motion for reconsideration and a second appeal, 18-3445, was opened. Federal Rule of Appellate Procedure 4(a)(4)(A) provides that if a party files a timely motion for relief under Federal Rule of Civil Procedure 60, "the time to file an appeal runs for all parties from the entry of the order disposing of the last such remaining motion." As a result, it was not necessary for Walker to file two notices of appeal. Accordingly,

IT IS ORDERED that appeal no. 18-3419 is administratively **CLOSED**. No appellate filing fees for appeal no. 18-3419 shall be imposed.

Walker has three strikes and is not permitted to proceed in forma pauperis under 28 U.S.C. § 1915(g) unless he is in imminent danger of serious physical injury. Although we conclude that Walker has satisfied the imminent danger requirement in § 1915(g), he has not identified a good faith issue that the district court erred in granting summary judgment to the defendants. Further, on January 23, 2019, this court ordered in appeal no. 18-3326 that until Walker has paid in full all outstanding fees in the district court and in this court, the clerks of all federal courts in this circuit will return unfiled any papers submitted either directly or indirectly by him on or his behalf. *See Sloan v. Lesza*, 181 F.3d 857, 859 (7th Cir. 1999). Accordingly,

IT IS FURTHER ORDERED that Walker's request for leave to proceed on appeal in forma pauperis in appeal no. 18-3445 is **DENIED**. *See Lee v. Clinton*, 209 F.3d 1025 (7th Cir. 2000). The appellant shall pay the required docketing fee and all other outstanding fees in the district court and this court within 14 days, or this appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b).

From: ecfmaster@wied.uscourts.gov
Sent: Tuesday, June 23, 2020 9:46 AM
To: ecfmaster@wied.uscourts.gov
Subject: Activity in Case 2:18-cv-00681-LA Walker v. State of Wisconsin Department of Corrections et al Notice of Appeal Prisoner

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

United States District Court

Eastern District of Wisconsin

Notice of Electronic Filing

The following transaction was entered on 6/23/2020 at 9:46 AM CDT and filed on 6/22/2020

Case Name: Walker v. State of Wisconsin Department of Corrections et al

Case Number: 2:18-cv-00681-LA

Filer: Tony D Walker

WARNING: CASE CLOSED on 03/19/2020

Document Number: 104

Docket Text:

NOTICE OF APPEAL by Tony D Walker from USDC re: [103] Order on Motion for Reconsideration. (cc: all counsel) Newlin Notice to be sent by 8/20/2020 (dl)

2:18-cv-00681-LA Notice has been electronically mailed to:

Eliot M Held heldem@doj.state.wi.us, CuellarKL@doj.state.wi.us

Laure C Rakvic-Farr rakvic-farrlc@doj.state.wi.us, edwardskj@doj.state.wi.us

Maria K Schneider maria.schneider@gebbsc.com, jason.prekop@gebbsc.com, rose.altman@gebbsc.com

2:18-cv-00681-LA Notice has been delivered by other means to:

Tony D Walker

167841

Waupun Correctional Institution

APPX 4

MIME-Version:1.0
 From:ecfmaster@wied.uscourts.gov
 To:ecfmaster@wied.uscourts.gov
 Bcc:
 --Case Participants: Laure C Rakvic-Farr (edwardskj@doj.state.wi.us, rakvic-farrlc@doj.state.wi.us), Eliot M Held (cuellarkl@doj.state.wi.us, heldem@doj.state.wi.us), Maria K Schneider (jason.prekop@gebbsc.com, maria.schneider@gebbsc.com, rose.altman@gebbsc.com), WCI Prison Facility (docdaiwcicourt@wi.gov, kathryn.emmer@wisconsin.gov, terri_ficek@wied.uscourts.gov), Judge Lynn Adelman (elisabeth.lambert.thompson@wied.uscourts.gov, jon.deitrich@wied.uscourts.gov, julie.dreckmann@wied.uscourts.gov, kristine.wilson@wied.uscourts.gov, lyn.smith@wied.uscourts.gov, michael.ashton@wied.uscourts.gov, trent.rehusch@wied.uscourts.gov)
 --Non Case Participants: Ryan Kenneth Melcher (ryan_melcher@tnwd.uscourts.gov, ryan_melcher@wied.uscourts.gov)
 --No Notice Sent:

Message-Id:<3834202@wied.uscourts.gov>
 Subject:Activity in Case 2:18-cv-00681-LA Walker v. State of Wisconsin Department of Corrections et al USCA Order
 Content-Type: text/html

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United States District Court

Eastern District of Wisconsin

Notice of Electronic Filing

The following transaction was entered on 6/23/2020 at 4:13 PM CDT and filed on 6/23/2020

Case Name: Walker v. State of Wisconsin Department of Corrections et al

Case Number: 2:18-cv-00681-LA

Filer:

WARNING: CASE CLOSED on 03/19/2020

Document Number: 109

Docket Text:

Notice by USCA re [104] Notice of Appeal Prisoner filed by Tony D Walker being returned to the district court unfiled pursuant to the court's order in 18-3326 attached to this entry. (kmm)

2:18-cv-00681-LA Notice has been electronically mailed to:

Eliot M Held heldem@doj.state.wi.us, CuellarKL@doj.state.wi.us

Laure C Rakvic-Farr rakvic-farrlc@doj.state.wi.us, edwardskj@doj.state.wi.us

Maria K Schneider maria.schneider@gebbsc.com, jason.prekop@gebbsc.com, rose.altman@gebbsc.com

2:18-cv-00681-LA Notice has been delivered by other means to:

Tony D Walker

167841

Waupun Correctional Institution

PO Box 351

Waupun, WI 53963-0351

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:

Electronic document Stamp:

[STAMP dcecfStamp_ID=1001523647 [Date=6/23/2020] [FileNumber=3834200-0

] [2629e5c62ef80899c3019ca564cf17c21d1447f6fe8f2ea8627f6e65b2ab943fe40

456ee59aab2ec50d6a143a30ca695a23cf7019873aef8015565905522245b]]

APPX 5

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TONY D. WALKER,
Plaintiff,

v.

Case No. 18-C-681

STATE OF WISCONSIN
DEPARTMENT OF CORRECTIONS,
CRYSTAL MARCHANT, RN BLOCK,
MARK JENSEN, LPN ATIAHRAWY,
LPN WESTPHAL, JAMES MUENCHOW,
M. NELSON, and DR. CHERYL JEAN PIERRE,
Defendants.

ORDER

The plaintiff recently filed a motion for leave to appeal in forma pauperis. However, as the court of appeals has already explained in rejecting his appeal (see ECF No. 109), the plaintiff is ineligible for pauper status and may not file any appeal. Accordingly, **IT IS ORDERED** that the plaintiff's motion is **DENIED**.

Dated at Milwaukee, Wisconsin, this 23rd day of July, 2020.

s/Lynn Adelman
LYNN ADELMAN
United States District Judge

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WALKER Tony

WAUPUN CORR. INST.

PO BOX 351

WAUPUN, WI 53963-0351

AUGUST 23rd, 2020

CLERK OF THE COURT
UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

RE: ASSISTANCE, PURSUANT TO 28 U.S.C. § 1915(A)
AND 7th CIRCUIT COURT OF APPEALS CIRCUIT
RULE 45(b), THAT THE CLERK FOR THIS COURT
ACKNOWLEDGE, ACCEPT, AND FILE MY NOTICE OF
APPEAL AND RELATED DOCUMENTS IN EASTERN
DISTRICT OF WISCONSIN CASE NO. 18-C-681-LA.

DEAR CLERK,

I filed a timely notice of appeal in WALKER v STATE OF WISCONSIN
DEPARTMENT OF CORRECTIONS ET AL., E.D. WIS. CASE NO. 18-C-681-LA,
which the clerk of the district court forwarded to you. On
JUNE 23, 2020 your office sent the notice unfiled back to the
district court pursuant to this court's JANUARY 23, 2019 order
directing all clerks in this circuit to do just that. But 7th CIRCUIT
COURT OF APPEALS CIRCUIT RULE 45 holds:

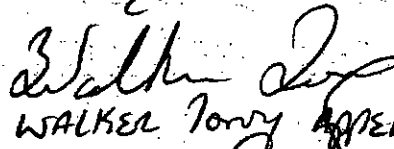
(b) FEES TO BE PAID IN ADVANCE. THE CLERK SHALL NOT BE
REQUIRED TO DOCKET ANY PROCEEDINGS OR PERFORM ANY
OTHER SERVICE UNTIL ALL FEES DUE TO THE CLERK HAVE

been paid, "EXCEPT AT THE DIRECTION OF A JUDGE OF THIS COURT OR AT THE INSTANCE OF A PARTY WHO IS ENTITLED TO PROCEED WITHOUT PREPAYMENT OF FEES."

28 U.S.C. § 1915(E) ALLOWS ME TO PROCEED WITHOUT PREPAYMENT OF FEES BECAUSE MY ACTION IS ONE OF IMMINENT DANGER WHERE I MAY SUFFER SERIOUS PHYSICAL INJURY, PERMANENT DISABILITY, OR DEATH. CIRCUIT RULE 45(B) PLACES A MANDATORY, NONDISCRETIONARY, MINISTERIAL DUTY UPON YOU TO ACCEPT AND FILE DOCUMENTS "AT THE INSTANCE OF A PARTY WHO IS ENTITLED TO PROCEED WITHOUT PREPAYMENT OF FEES." I AM THAT PARTY AND I INSIST AND DEMAND THAT YOU FOLLOW THE CIRCUIT RULE AND, BOTH, ACCEPT AND FILE THE NOTICE OF APPEAL AND RELATED DOCUMENTS IN E.D. WIS. CASE NO. 18-C-681-1A THAT WERE SENT TO YOU IN THE MONTH OF JUNE 2020.

Thank you for your ATTENTION TO THIS MATTER.

VERY SINCERE,


WALKER Tony APPELLANT


T.D.W.-C.L.B.

APPX 7

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
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ORDER

September 4, 2020

By the Court:

No. 18-3326	TONY D. WALKER, Plaintiff - Appellant v. STATE OF WISCONSIN, et al. Defendants - Appellees
Originating Case Information:	
District Court No: 2:18-cv-00357-LA Eastern District of Wisconsin District Judge Lynn Adelman	

Upon consideration of the MOTION PURSUANT TO 28 U.S.C. 1915 AND 7TH CIRCUIT COURT OF APPEALS CIRCUIT RULE 45(b), THAT THE CLERK FOR THIS COURT ACKNOWLEDDGE ACCEPT AND FILE MY NOTICE OF APPEAL AND RELATED DOCUMENTS IN EASTERN DISTRICT OF WISCONSIN IN CASE NO. 18-C-68-LA, filed on August 27, 2020, by the pro se appellant,

IT IS ORDERED that Tony Walker's request for the court to accept his notice of appeal is DENIED. The request does not give any reason to believe that he is indeed in danger and that pursuing his suit would affect that danger. It isn't enough to recite the statutory formula the allegations must be substantiated.

APPX 8-1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TONY D. WALKER,
Plaintiff,

v.

Case No. 18-C-681

STATE OF WISCONSIN
DEPARTMENT OF CORRECTIONS,
CRYSTAL MARCHANT, RN BLOCK,
MARK JENSEN, LPN ATIAHRAWY,
LPN WESTPHAL, JAMES MUENCHOW,
M. NELSON, and DR. CHERYL JEAN PIERRE,
Defendants.

ORDER

In an order dated January 23, 2019, the United States Court of Appeals for the Seventh Circuit directed the clerks of all federal courts in this circuit to return unfiled any papers submitted by Tony Walker. Recently, the clerk for this district mistakenly accepted papers from Walker. See ECF Nos. 112-14 and 117. I will direct the clerk to strike them.

The defendants ask that I sanction Walker \$500 for attempting to file the papers. Although I agree that the papers are frivolous and that sanctions could be imposed, I do not believe that they would deter future misconduct. The plaintiff already owes the court more than \$5,000 and has shown no ability to pay. This is why the Seventh Circuit imposed the more severe sanction of barring Walker from filing additional papers. The defendants are advised that, should the clerk mistakenly docket any further papers from Walker in this case, they will be under no obligation to respond. Instead, the court will strike the papers on its own motion.

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Accordingly, **IT IS ORDERED** that the papers filed at ECF Nos. 112-14 and 117 are **STRICKEN**.

Dated at Milwaukee, Wisconsin, this 18th day of February, 2021.

s/Lynn Adelman
LYNN ADELMAN
United States District Judge

IN THE UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

Tony D. WALKER,
PLAINTIFF - APPELLANT,

APPEAL NO. 18-3326

STATE OF WISCONSIN, ET AL.,
DEFENDANTS - APPELLEES,

APPELLANT'S MOTION, PURSUANT TO
FED. R. APP. P. RULES 25(2)(3) AND
27(C), TO CHIEF JUDGE FOR AN ORDER
RECONSIDERING, REVERSING, AND
VACATING THE COURT'S UNLAWFUL AND
ILLEGAL ORDER BARRING HIM FROM
ALL FEDERAL COURTS SIMPLY BECAUSE
HE IS INDIGENT AND CANNOT PAY ALL
THE FILING FEES HE OWES THE COURTS

Appellant, Tony D. WALKER, APPEARING PRO SE. NOW MOVES THE CHIEF JUDGE,
PURSUANT TO FED. R. APP. P. RULES 25(2)(3) AND 27(C), FOR AN ORDER REVERSING
AND VACATING THE COURT'S JANUARY 23, 2019, ILLEGAL AND UNLAWFUL, ORDER
BARRING HIM FROM ALL FEDERAL COURTS SIMPLY BECAUSE HE IS INDIGENT AND
CANNOT PAY ALL THE FILING FEES HE OWES THE COURTS FOR THE FOLLOWING
REASONS.

FACTS

ON JANUARY 23, 2019, THIS COURT DENIED APPELLANT'S "MOTION FOR LEAVE
TO PROCEED ON APPEAL IN FORMA PAUPERIS." CIRCUIT JUDGES EASTERBROOK,
KANNON, AND PROVNER RULED THAT "APPELLANT WALKER HAS NOT RAISED A GOOD
FAITH ISSUE THAT THE DISTRICT COURT ERRED IN GRANTING SUMMARY JUDGMENT
IN FAVOR OF THE DEFENDANTS." (THERE WAS NO SUMMARY JUDGMENT
PROCEEDINGS BECAUSE THE CASE NEVER MADE IT PASS THE SCREENING STAGE.
HOW DID THREE CIRCUIT JUDGES GET THE SAME PROCEEDINGS WRONG?). THE
SAME THREE CIRCUIT JUDGES THEN WENT ON TO ISSUE A STANDING ORDER
BARRING APPELLANT FROM ALL FEDERAL COURTS IN THIS CIRCUIT SITTING

"unpaid docket fees incurred by litigants subject to §1915(a) lead straight to an order forbidding further litigation. See NEWLIN v. HELMAN, 123 F.3d. [429] at 436-37 [7th Cir. 1997]. Accordingly, until Walker has paid in full all outstanding fees in the District Court and in this Court, the clerks of all federal courts in this circuit will return untiled any papers submitted either directly or indirectly by or on behalf of Walker. See SLOAN v. LESZA, 181 F.3d. 857, 859 (7th Cir. 1999). This order does not apply to criminal cases or petitions challenging the terms of his confinement, and may be reexamined in two years under the approach of NEWLIN, 123 F.3d. at 436-37, and SUPPORT SYSTEMS INT'L INC. v. MACK, 45 F.3d. 185, 186-87 (7th Cir. 1995) (per curiam)."

JANUARY 23, 2019 ORDER AT PAGE 2. THE COURT'S STANDING ORDER BANNING APPELLANT FROM ALL FEDERAL COURTS IN THIS CIRCUIT UNTIL HE HAS PAID IN FULL ALL OUTSTANDING FEES IN BOTH THE DISTRICT COURT AND THIS COURT CONFLICTS WITH AND VIOLATES 28 U.S.C. § 1915, UNITED STATES SUPREME COURT PRECEDENTS, AND MULTIPLE PRECEDENTS OF THIS COURT AND MUST BE REVERSED AND VACATED WITH ORDERS ALLOWING APPELLANT TO PROCEED IN APPEALS 18-3445 AND 18-CV-681.

STANDARD OF REVIEW

ALTHOUGH THIS COURT HAS NO STANDARD OF REVIEW FOR MOTIONS LIKE THIS ONE, THE SUPREME COURT HOLDS, AND THIS COURT ACKNOWLEDGES THAT:

"A COURT HAS THE POWER TO REVISIT PRIOR DECISIONS OF ITS OWN OR OF A COORDINATE COURT IN ANY CIRCUMSTANCE, ALTHOUGH AS A RULE COURTS SHOULD BE LOATH TO DO SO IN THE ABSENCE OF EXTRAORDINARY CIRCUMSTANCES SUCH AS WHERE THE INITIAL DECISION WAS CLEARLY ERRONEOUS [AND] WOULD WORK A MANIFEST INJUSTICE."

IN RE HUDSON, 710 F.3d. 716, 718 (7th Cir. 2013) (QUOTING CHRISTIANSON v. COLT INDUS.

OPERATING CORP., 486 US 800, 817 (1988)). UNDER LAW OF THE CASE DOCTRINE, AS NOW MOST COMMONLY UNDERSTOOD, IT IS NOT IMPROPER FOR A COURT TO DEPART FROM A PRIOR HOLDING IF CONVICTED THAT IT IS CLEARLY ERRONEOUS AND WOULD WORK A MANIFEST INJUSTICE. ARIZONA V CALIFORNIA, 460 US 605, 618 N. 8 (1983). "[T]he general rule... is that an appellate court must apply the law in effect at the time it renders its decision." INDEED, CHIEF JUSTICE MARSHALL WROTE LONG AGO:

"IT IS IN THE GENERAL TRUE THAT THE PROVINCE OF AN APPELLATE COURT IS ONLY TO INQUIRE WHETHER A JUDGMENT WHEN RENDERED WAS ERRONEOUS OR NOT. ... IF THE LAW BE CONSTITUTIONAL... I KNOW OF NO COURT WHICH CAN CONTEST ITS OBLIGATION. ... IN GREAT NATIONAL CONCERNS, ... THE COURT MUST DECIDE ACCORDING TO EXISTING LAWS, AND IF IT BE NECESSARY TO SET ASIDE A JUDGMENT, RIGHTFUL WHEN RENDERED, BUT WHICH CANNOT BE AFFIRMED BUT IN VIOLATION OF THE LAW, THE JUDGMENT MUST BE SET ASIDE."

HENDERSON V UNITED STATES, 133 S. CT. 1121, 1126 (2013) (CITATIONS OMITTED). THIS COURT'S JANUARY 23, 2019 STANDING ORDER IMPOSING A BLANKET BAN UPON APPELLANT BARRING HIM FROM ALL FEDERAL COURTS IN THIS CIRCUIT, SIMPLY BECAUSE HE HAS UNPAID FILING FEES THAT HE CANNOT PAY, VIOLATES THE LAW AND MUST BE REVERSED AND VACATED BECAUSE IT CANNOT BE AFFIRMED BUT IN VIOLATION OF THE LAW.

1. THIS COURT HAS NO AUTHORITY OR DISCRETION TO ISSUE STANDING BLANKET ORDERS THAT AFFECTS CASES OTHER THAN THE ONE IT IS CONSIDERING AND MAKING ITS RULING UPON.

THE JANUARY 23, 2019 ORDER FROM THIS COURT ISSUING A BLANKET BAN UPON APPELLANT FROM ALL FEDERAL COURTS IN THIS CIRCUIT, SIMPLY BECAUSE HE HAS FILING FEE DEBTS THAT HE CANNOT PAY, IS A STANDING ORDER THAT VIOLATES FED. R. APP. P.

RULE 47 which holds, in RELEVANT PART:

“(a) LOCAL RULES.

(1)... A GENERALLY APPLICABLE DIRECTION TO PARTIES OR LAWYERS REGARDING PRACTICE BEFORE A COURT MUST BE IN A LOCAL RULE RATHER THAN AN INTERNAL OPERATING PROCEDURE OR STANDING ORDER. THE LOCAL RULE MUST BE CONSISTENT WITH - BUT NOT DUPLICATIVE OF - ACTS OF CONGRESS AND RULES ADOPTED UNDER 28 U.S.C. § 2072 AND MUST CONFORM TO ANY UNIFORM NUMBERING SYSTEM PRESCRIBED BY THE JUDICIAL CONFERENCE OF THE UNITED STATES.

(5) PROCEDURE WHEN THERE IS NO CONTROLLING LAW. A COURT OF APPEALS MAY REGULATE PRACTICE IN A PARTICULAR CASE IN ANY MANNER CONSISTENT WITH FEDERAL LAW, THESE RULES, AND LOCAL RULES OF THE CIRCUIT. NO SANCTION OR OTHER DISADVANTAGE MAY BE IMPOSED FOR NONCOMPLIANCE WITH ANY REQUIREMENT NOT IN FEDERAL LAW, FEDERAL RULES, OR THE LOCAL CIRCUIT RULES UNLESS THE ALLEGED VIOLATION HAS BEEN FURNISHED IN THE PARTICULAR CASE WITH ACTUAL NOTICE OF THE REQUIREMENT.

THERE IS NO FEDERAL LAW, FEDERAL RULE, OR LOCAL CIRCUIT RULE THAT AUTHORIZES ANY COURT, OR GIVES THIS COURT DISCRETION, TO ISSUE A STANDING ORDER BANNING A PRISONER, OR ANYONE ELSE, FROM ALL FEDERAL COURTS BECAUSE THEY HAVE NO ASSETS AND NO WAY TO PAY THEIR OUTSTANDING FILING FEE DEBTS. THIS COURT'S JANUARY 23, 2019 STANDING ORDER BANNING APPELLANT SIMPLY BECAUSE HE HAS OUTSTANDING DEBTS WITH THE COURTS, THAT HE HAS NO WAY OF PAYING, VIOLATES AND CONFLICTS WITH 28 U.S.C. § 1915 WHICH HOLDS, IN RELEVANT PART:

“(b)(4) IN NO EVENT SHALL A PRISONER BE PROHIBITED FROM BRINGING A CIVIL ACTION OR APPEALING A CIVIL OR CRIMINAL JUDGMENT FOR THE REASON THAT THE PRISONER HAS NO ASSETS AND NO MEANS BY WHICH TO PAY THE INITIAL PARTIAL FILING FEE.

“(9) IN NO EVENT SHALL A PRISONER BRING A CIVIL ACTION OR APPEAL A JUDGMENT IN A CIVIL ACTION OR PROCEEDING UNDER THIS SECTION IF THE PRISONER HAS, ON 3 OR MORE PRIOR OCCASIONS, WHILE INCARCERATED OR DETAINED IN ANY FACILITY, BROUGHT AN ACTION

OR APPEAL IN A COURT OF THE UNITED STATES THAT WAS DISMISSED ON THE GROUNDS THAT IT IS TRIVIOUS, MALICIOUS, OR FAILS TO STATE A CLAIM UPON WHICH RELIEF MAY BE GRANTED, "UNLESS THE PRISONER IS UNDER IMMINENT DANGER OF SERIOUS PHYSICAL INJURY."

(Emphasis Added). There is absolutely nothing in 28 U.S.C. § 1915(a) that allows this court to ban and prevent appellants, or any indigent prisoner, from bringing a civil action when they are under imminent danger of serious physical injury, or from appealing a judgment in a civil action when they are under imminent danger of serious physical injury. Courts have no authority to pretend the PLRA says something it does not. Whatever temptation the Statesmanship of policy-making might wisely suggest, the judges' job is to construe the statute. Thompson v DEA, 492 F.3d 428, 437 (D.C. Cir. 2007) (citation omitted). "Congress wrote the statute it wrote" - meaning, a statute going so far and no further. Michigan v Bay Mills Indian Cnty., 134 S. Ct. 2024, 2033-34 (2014) (citation omitted). "The controlling principle in this case is the basic and exceptional rule that courts must give effect to the clear meaning of statutes as written." Estimote v Cowart v Nicklous Drilling Co., 505 U.S. 469, 476 (1992) (citations omitted). "After all, Congress expresses its purpose by words. It is for [courts] to ascertain -- neither to add nor to subtract, neither to delete nor to distort." 62 Cases of Jam v United States, 340 U.S. 573, 596 (1951). "Where, as here, the statute's language is plain, 'the sole function of the court is to enforce it according to its terms.'" United States v Ron Pair Enterprises, Inc., 489 U.S. 235, 241 (1989) (citation omitted). The court's January 23, 2019 unlawful and arbitrary standing order violates and conflicts with Fed. R. App. P. Rule 47(2)(1), (5); and 28 U.S.C. § 1915(b)(4) and (a) and must be reversed and vacated.

2. THE COURT'S JANUARY 23, 2019 STANDING ORDER VIOLATES APPELLANT'S RIGHTS UNDER, AND IS PROHIBITED BY, THE PETITION CLAUSE OF THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION.

THE UNITED STATES CONSTITUTION, AMENDMENT 1 HOLDS, IN RELEVANT PART:

"CONGRESS SHALL MAKE NO LAW... ABRIDGING... THE RIGHT OF THE PEOPLE... TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES."

"THE FIRST AMENDMENT TO THE CONSTITUTION PROHIBITS CONGRESS FROM ABRIDGING THE RIGHT OF THE PEOPLE TO... PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES... AND PROTECTS IT AGAINST ENCROACHMENT BY CONGRESS. THE RIGHT WAS NOT CREATED BY THE AMENDMENT; NEITHER WAS ITS CONTINUANCE GUARANTEED, EXCEPT AS AGAINST CONGRESSIONAL INTERFERENCE." UNITED STATES V. CULLICKSHANK, 92 US 542, 552 (1876). "THE LOSS OF FIRST AMENDMENT FREEDOMS, FOR EVEN MINIMAL PERIODS OF TIME, UNQUESTIONABLY CONSTITUTES IRREPARABLE INJURY." ELROD V. BURNS, 427 US 347, 373-74 (1976) (CITATION OMITTED). "THE FIRST

AMENDMENT OF THE FEDERAL CONSTITUTION EXPRESSLY GUARANTEES THAT RIGHT AGAINST ABRIDGMENT... FOR THE RIGHT IS ONE THAT CANNOT BE DENIED WITHOUT VIOLATING THOSE FUNDAMENTAL PRINCIPLES OF LIBERTY AND JUSTICE WHICH LIE AT THE BASE OF ALL CIVIL AND POLITICAL INSTITUTIONS-- PRINCIPLES WHICH THE FOURTEENTH AMENDMENT EMBODIES IN THE GENERAL TERMS OF ITS DUE PROCESS CLAUSE."

DETROIT V. OREGON, 299 US 353, 364 (1937). THE RIGHT TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES HAS BEEN CHARACTERIZED AS "AMONG THE MOST PRECIOUS OF THE LIBERTIES SAFEGUARDED BY THE BILL OF RIGHTS." UNITED MINE WORKERS V. ILL. STATE BAR ASSN., 389 US 217, 222 (1967). "FORMAL PETITIONS ARE DEFINED BY THEIR INVOCATION OF A FORMAL MECHANISM OF REDRESS. THUS, [L]AWSUITS, GRIEVANCES, [AND] WORKER'S COMPENSATION CLAIMS, ARE ALL EXAMPLES OF FORMAL PETITIONS." CONNICK V. MEYER, 461 US 438, 439 N.18 (1983). THIS COURT HAS ALREADY

ACKNOWLEDGED THAT THE FIRST AMENDMENT RIGHT TO PETITION THE GOVERNMENT INCLUDES THE RIGHT TO FILE OTHER CIVIL ACTIONS IN COURT THAT HAVE A REASONABLE BASIS IN LAW OR FACT. SNYDER V NOLEN, 380 F.3d. 279, 290 (7th Cir. 2004) (CITING MCDONALD V SMITH, 472 US 479, 484 (1985)) ("FILING A COMPLAINT IN COURT IS A FORM OF PETITIONING ACTIVITY; BUT BASELESS LITIGATION IS NOT IMMUNIZED BY THE FIRST AMENDMENT RIGHT TO PETITION." (INTERNAL QUOTATION MARKS AND CITATIONS OMITTED)); BILL JOHNSON'S TESTS, INC. V NLRB, 461 US 731, 741 (1983) ("THE RIGHT OF ACCESS TO THE COURT IS AN ASPECT OF THE FIRST AMENDMENT RIGHT TO PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES."); CALIFORNIA MOTORS TRANSP. CO. V TRUCKING UNLIMITED, 404 US 508, 510 (1972) ("THE RIGHT OF ACCESS TO THE COURTS IS INDEED BUT ONE ASPECT OF THE RIGHT TO PETITION.")) "THERE IS NO IRON CURTAIN DRAWN BETWEEN THE CONSTITUTION AND THE PRISONS OF THIS COUNTRY." WOLFF V MCDONWELL, 418 US 539, 555-56 (1974). "[P]ERSONS IN PRISON, LIKE OTHER INDIVIDUALS, HAVE THE RIGHT TO PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES WHICH, OF COURSE, INCLUDES ACCESS OF PRISONERS TO THE COURTS FOR THE PURPOSE OF PRESENTING THEIR COMPLAINTS." BRIDGES V GILBERT, 557 F.3d. 541, 553 (7th Cir. 2009) (QUOTING CRUZ V BETO, 405 US 319, 321 (1972) (CITATION OMITTED)). SEE ALSO HUDSON V PALMER, 468 US 517, 523 (1984) ("LIKE OTHERS, PRISONERS HAVE THE CONSTITUTIONAL RIGHT TO PETITION THE GOVERNMENT FOR REDRESS OF THEIR GRIEVANCES WHICH INCLUDES A REASONABLE RIGHT OF ACCESS TO THE COURTS" (CITATION OMITTED)). THE SUPREME COURT HAS GROUNDED PRISONERS' RIGHT OF ACCESS TO COURTS IN THE ARTICLE IV PRIVILEGES AND IMMUNITIES CLAUSE, FIRST AMENDMENT PETITION CLAUSE, FIFTH AMENDMENT DUE PROCESS CLAUSE AND FOURTEENTH AMENDMENT EQUAL PROTECTION AND DUE PROCESS CLAUSES. CHRISTOPHER V HARBURY, 536 US 403, 415 N.12 (2002) (COLLECTING CASES). SEE ALSO SNYDER, 380 F.3d. AT 291 ("A PRISONER'S RIGHT TO PURSUE LEGAL REDRESS FOR CLAIMS IS PROTECTED BY THE FIRST AMENDMENT RIGHT TO PETITION AND THE FOURTEENTH AMENDMENT RIGHT TO SUBSTANTIVE DUE PROCESS. MEANINGFUL ACCESS TO THE COURTS IS A FUNDAMENTAL CONSTITUTIONAL RIGHT, GROUNDED IN THE FIRST AMENDMENT RIGHT TO PETITION AND THE FIFTH AND FOURTEENTH DUE PROCESS

CLAUSES" (CITATIONS OMITTED). THE SUPREME COURT HAS ESTABLISHED AND INTIMATED THAT "COURTS, TOO, ARE BOUND BY THE FIRST AMENDMENT." CITIZENS UNITED V FEC, 558 US 310, 326 (2010). "...JUDGES IN GENERAL, AND FEDERAL JUDGES IN PARTICULAR, ... (WE) ARE OFFICERS OF THE GOVERNMENT, AND HENCE PROPER OBJECTS OF THAT HEATHING SUSPICION OF THE POWER OF GOVERNMENT WHICH POSSESSED THE FRAMERS AND IS EMBODIED IN THE CONSTITUTION." NEDEER V UNITED STATES, 527 US 1, 32 (1999) (SCALIA, J. DISSENT). "... EVEN AS TO PRISONERS THE GOVERNMENT MUST OBEY ALWAYS THE CONSTITUTION." CRAWFORD-EL V BRITTON, 523 US 574, 601 (1998) (KENNEDY, J. CONCURRING). BOTH THIS COURT AND THE SUPREME COURT HOLDS THAT "DENYING A PRISONER ACCESS TO THE COURTS VIOLATES THE FIRST AMENDMENT." SNYDER, 380 F.3D. AT 290 (CITING BILL JOHNSON'S PESTS, INC., 461 US. AT 741). SEE HIPP V NICKEL, 838 F. SUPP. 2D. 861, 863 (W.D. WIS. 2012) ("WITHOUT THE RIGHT TO HAVE ACCESS TO THE COURTS, ANY OTHER RIGHTS A PRISONER HAS ARE ILLUSORY BECAUSE HE HAS NO WAY TO ENFORCE THEM."); SMITH V SHAWNEE LIBRARY SYS., 60 F.3D. 317, 322 (7TH CIR. 1995) ("THE RIGHT OF ACCESS ALLOWS PRISONERS TO RAISE THEIR VOICES IN THE COURTS; OTHERWISE THEY WOULD BE AT THE WHIM OF PRISON OFFICIALS") (CITATION OMITTED); GENTRY V DUCKWORTH, 65 F.3D. 555, 559 (7TH CIR. 1995) ("THE RIGHT OF ACCESS IS AT ITS BASE THE RIGHT TO BE HEARD. THEREFORE, A TOTAL LOSS OF THE OPPORTUNITY TO RAISE ONE'S VOICE IN THE COURTS IS ITSELF THE REQUISITE DETRIMENT") (CITATIONS OMITTED). THIS COURT'S JANUARY 23, 2019 STANDING ORDER WHICH IMPOSES A COMPLETE BAN UPON APPELLANT FROM ALL FEDERAL COURTS VIOLATES FEDERAL LAW, THIS COURT'S OWN PRECEDENTS, AND IT IS, BOTH, OFFENSIVE AND CONTRARY TO THE CONSTITUTION.

THIS COURT ESTABLISHED ALMOST 20 YEARS AGO THAT "A FEDERAL LAW THAT KNOCKED OUT PRISONERS' ABILITY TO OBTAIN REDRESS IN SITUATIONS WHERE THEY ARE VICTIMS OF OFFICIAL MISCONDUCT, YET LACKED ANY NON-JUDICIAL MEANS TO PROTECT THEMSELVES, WOULD HAVE TO BE SET ASIDE AS UNCONSTITUTIONAL UNDER LEWIS V CASEY, 518 US 343 (1996)] AND THE ORIGINAL MEANING OF THE DUE PROCESS CLAUSE." LEWIS V SULLIVAN, 279 F.3D. 526, 530 (7TH CIR. 2002). ALTHOUGH THIS

COURT'S JANUARY 23, 2019 STANDING ORDER, BANNING APPELLANT FROM ALL FEDERAL COURTS IN THIS CIRCUIT, IS NOT AN OPINION OR JUDGMENT UNDER FED. R. APP. P. RULE 36, OR A MANDATE UNDER FED. R. APP. P. RULE 41, IT IS AN ARBITRARY AND UNCONSTITUTIONAL REGULATORY PRACTICE THAT THIS COURT EMPLOYS WHEN IT WANTS TO SHUT A PRISONER COMPLETELY OUT OF THE FEDERAL JUDICIAL SYSTEM IN VIOLATION OF 28 U.S.C. § 1915(a) AND THE FIRST AMENDMENT OF THE CONSTITUTION. THE SUPREME COURT STATES: "IT GOES WITHOUT SAYING THAT THE FACT THAT A GIVEN LAW OR PROCEDURE IS EFFECTIVE, CONVENIENT, AND USEFUL IN FACILITATING FUNCTIONS OF GOVERNMENT, STANDING ALONE, WILL NOT SAVE IT IF IT IS CONTRARY TO THE CONSTITUTION." STEIN V MARSHALL, 131 S. CT. 2594, 2619 (2011) (CITATION OMITTED), BECAUSE "REGULATORY MEASURES... NO MATTER HOW SOPHISTICATED, CANNOT BE EMPLOYED IN PURPOSE OR IN EFFECT TO STIFLE, PENALIZE, OR CURB THE EXERCISE OF FIRST AMENDMENT RIGHTS." NARCP V BUTTIN, 371 US 415, 439 (1963) (CITATION OMITTED). "CONSTITUTIONAL RIGHTS WOULD BE OF LITTLE VALUE IF THEY COULD BE... INDIRECTLY DENIED." DUNN V BLUMSTEIN, 405 US 330, 341 (1972). THIS COURT'S JANUARY 23, 2019 STANDING ORDER BANNING APPELLANT FROM ALL FEDERAL COURTS DIRECTLY DENIES APPELLANT HIS FUNDAMENTAL FIRST AMENDMENT CONSTITUTIONAL RIGHT TO PETITION THE GOVERNMENT FOR REDRESS OF HIS GRIEVANCES AND MUST BE REVERSED AND VACATED. AS THE SUPREME COURT HAS STATED: "WE ARE NOT AT LIBERTY TO GRANT OR WITHHOLD THE BENEFITS... WHICH THE CONSTITUTION COMMANDS FOR ALL." SUMPTER V UNITED STATES, 552 F.2d. 1206, 1215 N. 29 (7th CIR. 1977) (QUOTING EUBANKS V LOUISIANA, 356 US 584, 589 (1958) (QUOTING HILL V TEXAS, 316 US 400, 406 (1942))). "FEDERAL COURTS SIT NOT TO SUPERVISE PRISONS BUT TO ENFORCE THE CONSTITUTIONAL RIGHTS OF ALL 'PERSONS' WHICH INCLUDE PRISONERS." CRUZ, 405 US. AT 321, AND "THE FIRST AMENDMENT" IS AN INALIENABLE FUNDAMENTAL RIGHT. EDWARDS V SOUTH CAROLINA, 372 US 229, 234-38 (1963).

ALSO, THIS JUDGE SHOULD ORDER THE CLERK OF THIS COURT TO ACCEPT AND FILE APPELLANT'S APPEAL IN CASE NUMBER 18-CV-681, THAT WAS TIMELY FILED.

IN THE MONTH OF JUNE 2020. THE CLERK OF THIS COURT REFUSED TO FILE THE APPEAL PURSUANT TO THIS COURT'S JANUARY 23, 2019 STANDING ORDER INSTRUCTING THEM NOT TO. SEE APPENDIX 1 ATTACHED HERETO. THIS JUDGE SHOULD FURTHER ORDER THAT APPELLANT CAN PROCEED IN FORMA PAUPERIS ON APPEAL NUMBER 18-3445 FOR SEVERAL REASONS. FIRST, ON FEBRUARY 4, 2019, CIRCUIT JUDGES ROWNER AND BRENNAN DENIED APPELLANT'S REQUEST TO PROCEED ON APPEAL IN FORMA PAUPERIS STATING:

"WALKER HAS THREE STRIKES AND IS NOT PERMITTED TO PROCEED IN FORMA PAUPERIS UNDER 28 U.S.C. § 1915(A) UNLESS HE IS IN IMMINENT DANGER OF SERIOUS PHYSICAL INJURY. ALTHOUGH WE CONCLUDE THAT WALKER HAS SATISFIED THE IMMINENT DANGER REQUIREMENT OF § 1915(A), HE HAS NOT IDENTIFIED A GROUND IN ISSUE THAT THE DISTRICT COURT ERRED IN GRANTING SUMMARY JUDGMENT TO THE DEFENDANTS. FURTHER, ON JANUARY 23, 2019, THIS COURT ORDERED IN APPEAL NO. 18-3326 THAT UNTIL WALKER HAS PAID IN FULL ALL OUTSTANDING FEES IN THE DISTRICT COURT AND IN THIS COURT, THE CLERKS OF ALL FEDERAL COURTS IN THIS CIRCUIT WILL RETURN UNTILED ANY PAPERS SUBMITTED EITHER DIRECTLY OR INDIRECTLY BY HIM OR ON [sic] HIS BEHALF."

SEE APPENDIX 3 ATTACHED HERETO (CITATION OMITTED). IT IS TRUE THAT "A... COURT HAS WIDE DISCRETION IN DENYING AN APPLICATION TO PROCEED IFP UNDER 28 U.S.C. § 1915.... HOWEVER, IN DENYING SUCH APPLICATION, A COURT MUST NOT ACT ARBITRARILY. NOR MAY IT DENY THE APPLICATION ON ERRONEOUS GROUNDS."

MARTINEZ V KRISTI KLEANERS, INC., 364 F.3d. 1305, 1306-07 (11th Cir. 2004)

(CITATIONS OMITTED). CIRCUIT JUDGES ROWNER AND BRENNAN'S DECISION TO DENY APPELLANT'S REQUEST TO PROCEED ON APPEAL IN FORMA PAUPERIS, ALTHOUGH THEY FOUND THAT HE SATISFIED THE IMMINENT DANGER REQUIREMENT OF 28 U.S.C. § 1915(A), IS BOTH ARBITRARY AND ERRONEOUS. FIRST, BOTH THIS COURT AND THE SUPREME COURT STATES THAT "A NOTICE OF APPEAL IS NOT SUPPOSED TO CONTAIN GROUNDS OR ARGUMENT" CELSKE V EDWARDS, 164 F.3d. 396, 398 (7th Cir. 1999) (CITING

FED. R. APP. P. 3(c) AND FORMS APP. FORM 1; SMITH V BARRY, 502 US 244, 247-49 (1992); LIBRIZZI V CHILDREN'S MEMORIAL MEDICAL CENTER, 134 F.3d. 1302, 1306 (7th Cir. 1998)). THERE IS NOTHING IN THE FED. R. APP. P. OR THE LOCAL CIRCUIT RULES THAT REQUIRES AN APPELLANT TO STATE, ASSESS, OR ALLEGE THAT THEIR APPEAL IS IN GOOD FAITH. THE PRECEDENT IN THIS CIRCUIT IS "SINCE A PLAINTIFF WHO WAS ALLOWED TO PROCEED IN FORMA PAUPERIS IN THE DISTRICT COURT RETAINS HIS IFP STATUS IN THE COURT OF APPEALS UNLESS THERE IS A CERTIFICATION OF BAD FAITH, FED. R. APP. P. 24(2)(3), NO INFERENCE OF BAD FAITH CAN BE DRAWN FROM THE PLAINTIFF'S FAILURE, AT THE TIME HE FILED HIS NOTICE OF APPEAL... TO GIVE REASONS WHY HIS APPEAL IS IN GOOD FAITH." CELSKE, 164 F.3d. At 398. THIS COURT'S FINDING THAT APPELLANT HAD NOT IDENTIFIED A GOOD FAITH ISSUE IN HIS NOTICE OF APPEAL IS ARBITRARY, CONTRARY TO THIS COURT'S PRECEDENT, AND CLEARLY ERRONEOUS.

SECOND, "ON DIRECT APPEAL, THE APPELLATE COURT CANNOT ASSUME THAT A DISTRICT COURT'S RULINGS ARE CORRECT." CHAVIS V CHADDIUS, 618 F.3d. 162, 169 (2nd Cir. 2010), AND "[SECTION] 1915(g) IS NOT A VEHICLE FOR DETERMINING THE MERITS OF A CLAIM." Id At 170 (QUOTING CARPASLINI V SAINI, 352 F.3d. 328, 331 (7th Cir. 2003)).

AND THIRD, THE COURT'S DECISION TO DENY APPELLANT'S REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL APPEARS TO BE BASED, PARTLY, ON THE COURT'S UNCONSTITUTIONAL JANUARY 23, 2019 STANDING ORDER BANNING APPELLANT FROM ALL FEDERAL COURTS, IN THIS CIRCUIT, SIMPLY BECAUSE HE IS INDIGENT AND OWES OUTSTANDING FILING FEES TO THE COURTS THAT HE HAS NO ASSETS OR MONIES TO PAY. SEE APPENDIX 3 HERETO ATTACHED. BUT THIS COURT CANNOT USE THAT UNCONSTITUTIONAL ORDER TO DIRECTLY OR INDIRECTLY DENY APPELLANT'S REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL. "PRISONERS WHO ARE

UNDER IMMINENT DANGER OF SERIOUS PHYSICAL INJURY, HOWEVER, MAY PROCEED IN FORMA PAUPERIS NOTWITHSTANDING THE FACT THAT THEY FALL WITHIN THE THREE-STRIKES PROVISION." WILLIAMS V. PALMCO, 775 F.3d. 1182, 1185 (9th Cir. 2015) (CITING 28 U.S.C. § 1915(G)), AND "REGULATORY MEASURES... NO MATTER HOW SOPHISTICATED, CANNOT BE EMPLOYED IN PURPOSE OR IN EFFECT TO STIFLE, PENALIZE, OR CURB THE EXERCISE OF FIRST AMENDMENT RIGHTS." NAACP, 371 U.S. AT 439 (CITATION OMITTED).

CONCLUSION

THIS COURT'S JANUARY 23, 2019 STANDING ORDER WHICH BANS APPELLANT FROM THE FEDERAL COURT SYSTEM VIOLATES 28 U.S.C. § 1915(G), FED. R. APP. P. RULE 47, THIS COURT'S AND SUPREME COURT PRECEDENTS, AND IT IS OFFENSIVE AND CONTRARY TO THE CONSTITUTION, AND MUST BE REVERSED AND VACATED, AND APPELLANT SHOULD BE ALLOWED TO PROCEED WITH APPEALS FOR 18-3445 AND 18-CV-681, WHICH WERE TIMELY FILED BUT REFUSED AND DENIED FOR ARBITRARY AND/OR ERRONEOUS REASONS.

DATED THIS 25TH DAY OF FEBRUARY 2021.

LEGAL RESEARCH AND
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UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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ORDER

June 2, 2021

Before

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL S. KANNE, *Circuit Judge*

ILANA DIAMOND ROVNER, *Circuit Judge*

No. 18-3326	TONY D. WALKER, Plaintiff - Appellant v. STATE OF WISCONSIN, et al. Defendants - Appellees
Originating Case Information:	
District Court No: 2:18-cv-00357-LA Eastern District of Wisconsin District Judge Lynn Adelman	

Upon consideration of the **MOTION**, filed on May 19, 2021, by the pro se appellant,

IT IS ORDERED that Tony Walker's motion to rescind the filing bar is **DENIED**. The filing bar will be lifted immediately once Walker makes full payment. *See In re City of Chicago*, 500 F.3d 582, 585-86 (7th Cir. 2007). If Walker, despite his best efforts, is unable to pay in full all outstanding fees, no earlier than two years from the date of this order he is authorized to submit to this court another motion to modify or rescind the filing bar. *See id.*; *Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995) (per curiam).