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Supreme Court of Wisconsin

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CLERK OF WISCONSIN
SUPREME COURT

March 18, 2025

To:

Hon. William Sosnay
Circuit Court Judge
Electronic Notice

Carlos R. Pastrana
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Appeals Processing
Division
Electronic Notice

Dennis Eborka
620 E. 2nd Street
Flint, MI 48503

You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

No. 2023AP2075

Eborka v. Medical College of Wisconsin, L.C. #2023CV6362

Plaintiff-appellant-petitioner, Dennis Eborka, pro se, has submitted five versions of the petition for waiver of fees/costs—affidavit of indigency for the petition for review filed in this matter. Three of those versions, which were received by the clerk's office on February 14, 2025, February 21, 2025, and February 24, 2025, have been filed in the case. (The first two of those versions were submitted on the circuit court petition form, not the appellate court petition form.) Two other versions, submitted via the e-filing portal on March 14, 2025, and March 17, 2025, have not yet been filed. The court will direct the clerk's office to accept those two most recent versions for filing. However, none of the versions of the petition for waiver of fees/costs—affidavit of indigency submitted by Mr. Eborka has complied with the requirements of Wis. Stat. § 814.29. The first three versions did not have any boxes checked in Section 1 of the form. In Section 2, they indicated a dollar amount that Mr. Eborka purportedly earned, but they did not indicate over what period of time that amount was earned (whether weekly, monthly, etc.). The failure to indicate the period over which the amount was earned precludes the court from making a determination of Mr. Eborka's eligibility for waiver of the filing fee for the petition for review. The last two versions that were submitted have a box checked in Section 1 indicating that Mr. Eborka currently receives "Other means-tested public assistance," but Mr. Eborka has failed to specify the name of the means-tested assistance program from which he currently receives public assistance. Section 2 of those two versions also contained a dollar amount that Mr. Eborka purportedly earned, but they also did not indicate over what period of time that amount was earned. Consequently, all of the versions of the

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petition for waiver of fees/costs—affidavit of indigency that have been submitted to date are defective because they omitted information required to determine Mr. Eborka’s eligibility for waiver of the filing fee and therefore must be denied. The court will provide Mr. Eborka one final chance to submit a fully and properly completed and signed petition for waiver of fees/costs—affidavit of indigency.

In addition, on March 12, 2025, and again on March 14, 2025, Mr. Eborka submitted via the e-filing portal unsigned and undated copies of what purports to be a 2024 Form 1040 Individual Income Tax Return. The court will direct the clerk’s office to accept those two documents for filing and to maintain them under seal, given that they contain Mr. Eborka’s social security number and bank account information. Those documents, however, even if they had been signed and dated, would not have been sufficient to waive the filing fee for the petition for review in this case. Mr. Eborka is directed not to submit additional income tax returns.

Mr. Eborka must properly complete and file a signed petition for waiver of fees/costs—affidavit of indigency so that the court can make a proper determination as to whether the filing fee for the petition for review should be waived. Failure to submit a properly completed and signed petition will result in the dismissal of the petition for review. Mr. Eborka is reminded that, as he has registered for e-filing on this case, he must submit all filings in this case via the court’s e-filing portal. Accordingly,

IT IS ORDERED that the clerk of this court shall accept for filing the following documents: (1) the petition for waiver of fees/costs—affidavit of indigency submitted via the e-filing portal on March 14, 2025; (2) the petition for waiver of fees/costs—affidavit of indigency submitted via the e-filing portal on March 17, 2025; (3) the unsigned and undated 2024 Form 1040 Individual Income Tax Return submitted via the e-filing portal on March 12, 2025; and (4) the unsigned and undated 2024 Form 1040 Individual Income Tax Return submitted via the e-filing portal on March 14, 2025; and

IT IS FURTHER ORDERED that the clerk of this court shall maintain under seal the following documents: (a) the unsigned and undated 2024 Form 1040 Individual Income Tax Return submitted via the e-filing portal on March 12, 2025; and (b) the unsigned and undated 2024 Form 1040 Individual Income Tax Return submitted via the e-filing portal on March 14, 2025; and

IT IS FURTHER ORDERED that the petitions for waiver of fees/costs submitted on February 14, 2025; February 21, 2025; February 24, 2025; March 14, 2025; and March 17, 2025 are denied; and

IT IS ORDERED that, on or before April 4, 2025, Mr. Eborka shall file a fully and properly completed and compliant petition for waiver of fees/costs—affidavit of indigency. If no petition is filed by that date, or if a petition is filed by that date, but it is not fully completed or is not compliant with Wis. Stat. § 814.29, the petition for review shall be summarily dismissed.

Samuel A. Christensen
Clerk of Supreme Court