

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION

JODIE SCOTT TRIBBLE,
ADC #131653

PLAINTIFF

v.

1:05CV00052SWW/HLJ

BRENT EARLEY, et al.

DEFENDANTS

ORDER

By Order dated July 13, 2005, this Court directed plaintiff to file an application to proceed in forma pauperis within fifteen days of the date of the Order. The Court further advised plaintiff that failure to comply with the Order would result in the dismissal without prejudice of plaintiff's complaint. On August 23, 2005, plaintiff filed the application to proceed in forma pauperis. However, on August 24, 2005, this case was dismissed upon the mistaken belief that plaintiff had not yet complied with the July 13, 2005 Court Order. In light of such,

IT IS, THEREFORE, ORDERED that the August 24, 2005 dismissal of plaintiff's complaint is hereby SET ASIDE, and this case is RE-OPENED.

IT IS FURTHER ORDERED that plaintiff's application to proceed in forma pauperis (DE #5) is hereby GRANTED.

IT IS FURTHER ORDERED that service is appropriate for defendants Brent Earley and Mike Matthews. The Clerk of the Court shall prepare summons for the defendants and the United States Marshal is directed to serve a copy of the complaint and summons on the defendants without prepayment of fees and costs or security therefore.

IT IS SO ORDERED this 13th day of September 2005.

/s/Susan Webber Wright
United States District Judge