

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

**THELMA WILLIAMS, JR.,
ADC #93197**

PLAINTIFF

V.

No. 2:08CV00196 WRW-BD

C. SIM, et al.

DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedure for Filing Objections:

The following Recommended disposition has been sent to United States District Judge William R. Wilson, Jr. Any party may file written objections to this recommendation. Objections should be specific and should include the factual or legal basis for the objection. If an objection is to a factual finding, specifically identify that finding and the evidence that supports your objection. An original and one copy of your objections must be received in the office of the United States District Court Clerk no later than eleven (11) days from the date you receive the Recommended Disposition. A copy will be furnished to the opposing party. Failure to file timely objections may result in waiver of the right to appeal questions of fact.

Mail your objections and "Statement of Necessity" to:

Clerk, United States District Court
Eastern District of Arkansas
600 West Capitol Avenue, Suite A-149
Little Rock, AR 72201-3325

II. Background:

Plaintiff, Thelma Williams, Jr., an inmate confined in the Maximum Security Unit of the Arkansas Department of Correction (“ADC”), filed this action on November 13, 2008, under 42 U.S.C. § 1983, alleging violations of his civil and constitutional rights (docket entry #2). On November 19, 2008, Plaintiff’s Motion for Leave to Proceed *in Forma Pauperis* (#1) was denied under 28 U.S.C. § 1915(g) because he had three prior “strikes.” Plaintiff was ordered to pay the \$350.00 statutory filing fee on or before December 19, 2008, in order to proceed with this lawsuit. Plaintiff was warned that failure to comply with the Order would result in dismissal of his lawsuit without prejudice. Plaintiff has failed to comply with the Order (#3) and the time for doing so has passed.

III. Conclusion:

Accordingly, the Court recommends that Plaintiff’s Complaint (#2) be DISMISSED WITHOUT PREJUDICE.

DATED this 22nd day of December, 2008.


UNITED STATES MAGISTRATE JUDGE