

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

FRANKIE GREEN,  
REG.#11382-035

PLAINTIFF

2:09V00070HLJ

MR. RINGWOOD, et al.

DEFENDANTS

ORDER

This matter is before the Court on plaintiff's motions in limine, for order to file exhibits, and for the appointment of counsel (DE ##2, 3, 6)

By Order dated June 18, 2009, this Court directed plaintiff to submit the \$350.00 filing fee or an in forma pauperis application within thirty days of the date of the Order (DE #4). As of this date, plaintiff has not yet complied with the Order. In the meantime, however, he has filed the pending motions.

In his motion in limine, plaintiff states he has exhausted his administrative remedies and appears to ask the Court to prevent defendants from asserting a defense of failure to exhaust. To the extent plaintiff asks the Court to limit a defense which has not yet been asserted, the Court will deny his motion.

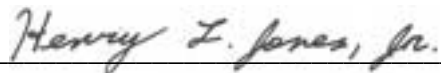
In his motion for order to file exhibits, plaintiff asks for leave of court to file exhibits as evidence in this case. At this point, the Court will deny plaintiff's motion. However, if plaintiff needs to file exhibits in the future in support of a motion or a response to a motion, the Court will permit such a filing.

Finally, with respect to plaintiff's motion for counsel, the Court notes that the factual allegations in the complaint are not complex, the legal issues are very straightforward, and plaintiff has thus far demonstrated adequate ability to place his claims before the Court. Therefore, the Court will deny plaintiff's request for counsel at this time. Accordingly,

IT IS THEREFORE, ORDERED that plaintiff's motions in limine, for order to enter exhibits, and for the appointment of counsel (DE ##2, 3, 6) are DENIED without prejudice.

IT IS FURTHER ORDERED that plaintiff shall comply with the Court's June 18, 2009 Order within ten days of the date of this Order. Failure to comply shall result in the dismissal without prejudice of plaintiff's complaint. See Local Rule 5.5(c)(2).

IT IS SO ORDERED this 8<sup>th</sup> day of July, 2009.

  
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United States Magistrate Judge