

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

FREDERICK BANKS
Reg #05711-068

PLAINTIFF

V.

CASE NO. 2:11CV00191 JMM/BD

BUREAU OF INDIAN AFFAIRS, et al.

DEFENDANTS

ORDER

Frederick Banks, a federal inmate housed at the Federal Correctional Institution in Forrest City, Arkansas, filed this case pro se, alleging that Defendants harassed him and subjected to cruel and unusual punishment. He also complains that the intercom system and cameras placed in the sleeping quarters at the Federal Correctional Facility in Forrest City have caused him sleep deprivation.

Although the Court initially allowed Mr. Banks to proceed *in forma pauperis*, on March 6, 2012, the Court revoked Mr. Banks's *in forma pauperis* status based on the fact that he has filed three or more civil cases that were dismissed for failure to state a claim. 28 U.S.C. § 1915(g). (#33) Mr. Banks was provided thirty days to pay the \$350.00 statutory filing fee. He was specifically warned that his failure to comply with the Court order could result in dismissal of his claims.

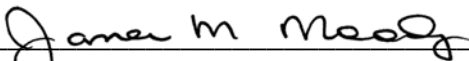
Rather than paying the filing fee, Mr. Banks appealed the Court's March 6 Order first to this Court, then to the United States Court of Appeals for the Eighth Circuit. (#35 and #41) In order to proceed with his appeal, Mr. Banks was ordered to pay the \$455.00 appellate filing fee. On June 29, 2012, the Eighth Circuit Court of Appeals dismissed Mr.

Banks's appeal for failure to prosecute. (#44)

Mr. Banks has failed to comply with the Court's March 6 Order. Therefore, his Complaint is dismissed, without prejudice, under Local Rule 5.5(c)(2), for failing to comply with the order to satisfy the filing fee requirement.

The pending motion to dismiss (#28) is DENIED, as moot.

IT IS SO ORDERED this 10 day of July, 2012.


UNITED STATES DISTRICT JUDGE