

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

FREDERICK BANKS
Reg #05711-068

PLAINTIFF

v.

NO. 2:12CV00069 JLH/BD

AVIANT, *et al.*

DEFENDANTS

ORDER

On April 16, 2012, plaintiff Frederick Banks, a federal inmate housed at the Federal Correctional Institution in Forrest City, Arkansas ("FCIFC"), filed this case alleging that FCIFC employees violated his right to equal protection of the law. Banks filed an application to proceed *in forma pauperis*, but he was ineligible for *in forma pauperis* status because he had filed three prior lawsuits that were dismissed for failure to state a claim. *See* 28 U.S.C. § 1915(g).

On April 23, 2012, Banks was ordered to pay the statutory filing fee within thirty days or risk dismissal of his case. In spite of this warning, Banks has not paid the filing fee, and the time to do so has passed.

Accordingly, Banks's claims are DISMISSED, without prejudice, for failure to comply with the Court's April 23, 2012 Order to pay the filing fee. *See* Local Rule 5.5(c)(2).

IT IS SO ORDERED this 15th day of June, 2012.



UNITED STATES DISTRICT JUDGE