

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

CARL FRAZIER, JR., )  
Petitioner, )  
v. ) Case No. 2:13-CV-00101 JLH-JTK  
ANTHONY HAYNES, Warden, )  
FCI-Forrest City )  
Respondent. )

**ORDER**

As noted in the Court's August 20, 2013 Order, Petitioner has neither paid the \$5.00 filing fee nor properly filed an application to proceed *in forma pauperis*. He did file an application to proceed *in forma pauperis* on August 30, 2013, but he failed to comply with its instructions. In particular, he failed to provide the necessary affidavit and the certified statement from an appropriate institutional officer.

If Petitioner wishes to proceed with this action, he must either (1) pay the \$5.00 filing fee in full<sup>1</sup> or (2) file a **properly** completed application to proceed *in forma pauperis*. Petitioner is hereby advised that the failure to timely and properly comply with this Order could result in the dismissal of this habeas action, without prejudice, pursuant to Local Rule 5.5(c)(2).<sup>2</sup>

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<sup>1</sup> Any payment Petitioner sends to the Court must clearly indicate that it is for payment of the filing fee in "Frazier v. Outlaw, 2:13-CV-00101 JLH-JTK." Petitioner should also include his prisoner identification number.

<sup>2</sup> Petitioner is hereby notified of his responsibility to comply with the Local Rules of the Court, including Rule 5.5(c)(2), which states the following:

It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her

IT IS THEREFORE ORDERED THAT:

1. The Clerk of Court is to forward to Petitioner an application to proceed *in forma pauperis*.
2. Within thirty (30) days of the entry-date of this Order, Petitioner must either (1) pay the \$5.00 statutory filing fee in full or (2) file a properly completed application to proceed *in forma pauperis*.

SO ORDERED this 4<sup>th</sup> day of September, 2013.



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United States Magistrate Judge

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address, zip code, and telephone number. If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.