

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

CORNELIUS MARQUEL SMITH

PLAINTIFF

V.

No. 3:08CV00153-WRW-BD

MIKE ETTER

DEFENDANT

ORDER

Plaintiff, a pretrial detainee at the Craighead County Detention Facility, brings a pro se Complaint (docket entry #1) under 42 U.S.C. § 1983. Plaintiff has not paid the statutory filing fee of \$350.00 to initiate this case, nor has he filed a Motion for Leave to Proceed *In Forma Pauperis*.

The Prison Litigation Reform Act (“PLRA”) requires that Plaintiff submit a proper and complete application to proceed *in forma pauperis*, along with a “certified copy of the trust fund account statement (or institutional equivalent) for the prisoner *for the 6-month period immediately preceding* the filing of the complaint.” 28 U.S.C. § 1915(a)(2) (emphasis added).

If Plaintiff wishes to proceed with this lawsuit, he must submit a request to proceed *in forma pauperis* or pay the filing fee of \$350.00 to the Court within thirty (30) days of entry of this Order. Failure to comply with this Order may result in dismissal of this action under Local Rule 5.5(c)(2) and the Federal Rules of Civil Procedure.

The Clerk of the Court is directed to send Plaintiff an Application to Proceed *In Forma Pauperis*, along with a copy of this Order.

IT IS SO ORDERED this 23rd day of September, 2008.



UNITED STATES MAGISTRATE JUDGE