

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

RUBBY JAMES GRAY

PLAINTIFF

V.

3:08CV00154 JMM/JTR

JACK MCCANN,
Sheriff of Craighead County, et al.

DEFENDANTS

ORDER

Plaintiff has recently notified the Court that he has been released from custody and is now residing at a private address. *See* docket entry #24. In light of his recent release, it is unclear whether Plaintiff is entitled to continue to proceed *in forma pauperis*. Accordingly, the Court will give Plaintiff thirty days to file an Amended Application to Proceed *In Forma Pauperis*.

IT IS THEREFORE ORDERED THAT:

1. The Clerk is directed to send Plaintiff a (freeworld) Amended Application to Proceed *In Forma Pauperis*.
2. Plaintiff shall file, **within thirty days of the entry of this Order**, a fully and properly completed Amended Application to Proceed *In Forma Pauperis*

3. Plaintiff is reminded that the failure to timely and properly comply with this Order could result in the dismissal of this case, without prejudice, pursuant to Local Rule 5.5(c)(2).¹

Dated this 1st day of December, 2008.


UNITED STATES MAGISTRATE JUDGE

¹ Local Rule 5.5(c)(2) provides that: “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 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.” (Emphasis added.)