

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

CALVIN RAY McDANIEL

PLAINTIFF

V.

CASE NO. 3:09CV00169 JLH/BD

DICK BUSBY, et al.

DEFENDANTS

ORDER

Plaintiff has filed a motion to amend his complaint and has requested a trial by jury (docket entry #13). Plaintiff has also filed a motion for leave to proceed *in forma pauperis* (#14). Plaintiff's motion to amend (#13) is GRANTED in part and DENIED in part. Plaintiff's motion to proceed *in forma pauperis* (#14) is GRANTED.

Plaintiff's motion for a trial by jury is GRANTED. The Clerk of the Court is directed to note the jury demand on the docket sheet, and a jury trial will be scheduled if appropriate following consideration of dispositive motions. Dispositive motions should be filed on or before March 12, 2010.

With regard to Plaintiff's motion for leave to amend his complaint, Plaintiff fails to include any allegations in his motion. He does not say whether he seeks to add additional claims or additional parties to this lawsuit. Because Plaintiff failed to attach his proposed amended complaint to his motion, Plaintiff's motion to amend his complaint is DENIED. See Local Rule 5.5(e).

Plaintiff is currently proceeding *in forma pauperis* (#3), but has now been released from prison. Accordingly, Plaintiff has submitted a new motion for leave to proceed *in forma pauperis*. Plaintiff's motion (#14) is GRANTED.

IT IS SO ORDERED this 13th day of November, 2009.



UNITED STATES MAGISTRATE JUDGE