

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

**MATTHEW HOPKINS
ADC # 135520**

PLAINTIFF

V.

CASE NO. 3:11CV00136 JLH/BD

GERALD MCCLUNG, et al.

DEFENDANTS

ORDER

Plaintiff Matthew Hopkins filed this case under 42 U.S.C. § 1983 (docket entry #1) on July 11, 2011. Upon review of the record, the Court notes that Mr. Hopkins has not filed a motion to proceed *in forma pauperis* or paid the filing fee.

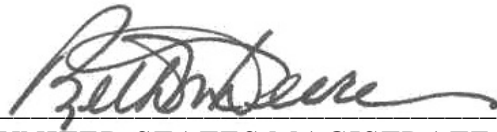
The filing fee for a complaint under 42 U.S.C. § 1983 is \$350.00. Under the Prison Litigation Reform Act (“PLRA”), a prisoner who is allowed to file a civil case *in forma pauperis* still must pay the entire filing fee. 28 U.S.C. §1915(b)(1). The only question is whether he must pay all of the fee at the start of the lawsuit or in installments over time.

If Mr. Hopkins wants to proceed *in forma pauperis*, he must file an application and a calculation sheet prepared and signed by an authorized officer of the correctional facility where he is being held. Based on information in the application and calculation sheet, the Court will assess an initial, partial filing fee if Mr. Hopkins has enough money in his prison trust account. The rest of the filing fee will then be collected in monthly payments until it is paid in full. 28 U.S.C § 1915(b)(1)-(2). If the case is dismissed for

any reason before trial, the entire \$350.00 will still be collected, and no part of the filing fee will be refunded.

So, if Mr. Hopkins wishes to go forward with this case, he must file an application to proceed *in forma pauperis* or pay the \$350.00 filing fee within thirty days of the date of this Order. The Clerk of Court is directed to forward Mr. Hopkins an *in forma pauperis* application, along with a copy of this Order.

IT IS SO ORDERED this 13th day of July, 2011.



UNITED STATES MAGISTRATE JUDGE