

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

JAMES C GREGORY

PLAINTIFF

v.

3:12-cv-00201-BRW

RALPH WILSON, JR., et al.

DEFENDANTS

ORDER

Pending is Plaintiff's pro se Motion to Recuse Judge (Doc. No. 6). Plaintiff writes:

Since this case has been in Arkansas Mr. Gregory has had to fight to get this judge to serve summons, refuses to order Appellee's to put discovery in writing, stated a summary judgment is premature, stated the Appellees have not had time for discovery and refuses to move this case forward

A summary judgment is not a negotiation it is a statement of fact. The Appellant is not looking for a judge to interject his opinion but rule on the evidence. The judge must rule on this motion either for or against the moving party. If Judge Billy Roy Wilson is unable to understand that then this judge is incompetent. At this time due to the state of folly the Arkansas Federal Court has given, there was no oral contact between the Appellee's and the Appellant. There was no 26(f) Conference, No telephone conversation or any more contact of any until this judge is removed and a judge with integrity is seated. If this Judge Billy Roy Wilson is not removed, because a Lawsuit against the United States, Arkansas Federal Court and Billy Roy Wilson has been filed for his refusing to carry out his duties and the court for condoning malicious hate tactics against James C Gregory as well as delay tactics.

Having no leanings for or against Plaintiff, and believing that there is no reasonable possibility that a reasonably informed lay person viewing the allegations would believe that there is any appearance of impropriety, I conclude that Plaintiff's Motion to Recuse Judge (Doc. No. 6) should be, and hereby is, DENIED.

Plaintiff filed this case in the United States District Court in the Eastern District of Missouri, which provisionally granted Plaintiff's motion to proceed *in forma pauperis* and transferred the case under 28 U.S.C. § 1406(a) to this Court.

Based on Plaintiff's application, he does not have to funds to pay the filing fee.

Accordingly the Motion to Proceed *In Forma Pauperis* (Doc. No. 2) is GRANTED.

Because Plaintiff has been granted leave of court to proceed *in forma pauperis*, based on Rule 4(c)(3) of the Federal Rules of Civil Procedure, the U.S. Marshal for the Eastern District of Arkansas is directed to serve the summons and complaint on Defendants in this action without costs. The Marshal will serve the summons pursuant to the provisions of Rule 4 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED this 27th day of August, 2012.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE