

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

JERRY L. HUFFINS

PLAINTIFF

V.

3:15CV00064 DPM-JTR

GREENE COUNTY JAIL; and
SAMMY JOHNSON, LPN

DEFENDANTS

ORDER

Plaintiff, Jerry L. Huffins, is a prisoner in the Greene County Detention Facility. He has filed a *pro se* § 1983 action alleging that Defendants violated his constitutional rights.

The fee for filing a § 1983 action in federal court is \$400.¹ Plaintiff has not paid the filing fee or filed an Application to Proceed *In Forma Pauperis*. If Plaintiff wishes to pursue this action, he must, within thirty days of the entry of this Order, either: (1) pay the \$400 filing fee in full; or (2) file a properly completed Application to Proceed *In Forma Pauperis*, along with a properly completed prison calculation sheet.

However, Plaintiff should be aware that, even if he is granted permission to

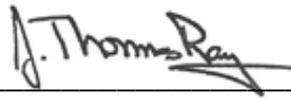
¹The \$400 filing fee includes a \$50 administrative fee that is waived for plaintiffs who are granted permission to proceed *in forma pauperis*. Thus, if Plaintiff is granted *in forma pauperis* status, he will be obligated to pay \$350, instead of \$400.

proceed *in forma pauperis*, he still must pay the filing fee in full. 28 U.S.C. § 1915(b). The only difference is that, by being granted permission to proceed *in forma pauperis*, Plaintiff will be allowed to pay the filing fee in monthly installments taken from his institutional account, rather than all at once, at the time of filing his Complaint. *Id.* **Further, if Plaintiff's case is subsequently dismissed for any reason, including a determination that it is frivolous, malicious, fails to state a claim, or seeks monetary relief against a defendant who is immune from such relief, the full amount of the filing fee will be collected and no portion of this filing fee will be refunded to Plaintiff.**

IT IS THEREFORE ORDERED THAT:

1. The Clerk is directed to send Plaintiff an Application to Proceed *In Forma Pauperis*, along with a prison calculation sheet.
2. Plaintiff must, **within thirty days of the entry of this Order**, either: (a) pay the \$400 filing fee in full; or (b) file a properly completed Application to Proceed *In Forma Pauperis*, along with a properly completed prison calculation sheet.
3. Plaintiff is reminded that the failure to timely and properly comply with any portion of this Order will result in the dismissal of this case, without prejudice, pursuant to Local Rule 5.5(c)(2).

Dated this 29th day of April, 2015.

A handwritten signature in black ink, appearing to read "J. Thomas Ray". The signature is written in a cursive style with a prominent initial "J" and a stylized "R".

UNITED STATES MAGISTRATE JUDGE