

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

DAVID ERWIN

PLAINTIFF

v.

NO. 3:17-cv-00333 JW/PSH

**LYNDON SOUTHERN INSURANCE COMPANY
and SANTANDER CONSUMER USA**

DEFENDANTS

ORDER

Plaintiff David Erwin (“Erwin”) began the case at bar by filing a pro se complaint pursuant to 28 U.S.C. 1332 and joining defendants Lyndon Southern Insurance Company (“Southern”) and Santander Consumer USA (“Santander”). Although his complaint does not contain a plethora of facts and is not a model of clarity, he appeared to allege that he purchased an automobile on March 23, 2017, and obtained insurance coverage for the automobile from Southern. The automobile was stolen the following day. When it was eventually located, it was on fire. He apparently filed a claim with Southern, but the claim was denied.

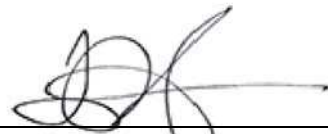
Santander’s involvement in the events giving rise to the complaint at bar is not easily discernable. Liberally construing Erwin’s complaint, he alleged that the Vehicle Identification Number (“VIN”) and year model of the automobile he purchased does not match the VIN or year model of the automobile that was stolen. He appeared to allege that Santander was to blame for the discrepancy.

Erwin accompanied his complaint with an application to proceed in the district court without prepaying fees or costs, a submission the Clerk of the Court (“Clerk”) construed as a motion to proceed in forma pauperis. See Docket Entry 1. For good cause shown, the motion is granted. Erwin may proceed without the prepaying of fees or costs. The Clerk is directed to issue, and the United States Marshal is directed to serve, a summons and copy of Erwin’s complaint on Southern and Santander.

Erwin is hereby notified of his obligation to comply with the Federal Rules of Civil Procedure as well as the Local Rules for the United States District Court for the Eastern District of Arkansas. Specifically, he is directed to Local Rule 5.5(c)(2), which provides the following:

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.

IT IS SO ORDERED this 21st day of December, 2017.



UNITED STATES MAGISTRATE JUDGE