

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

EMEX C. SMITH, SR.

PLAINTIFF

v.

No. 4:05CV01082 GH

H W TUCKER

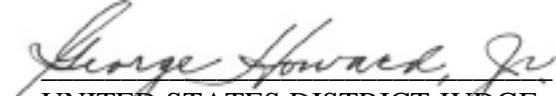
DEFENDANT

ORDER

Pursuant to General Order 29(A)(4), the Court has reviewed plaintiff's August 9th motion to proceed in forma pauperis ("IFP") and finds that the motion filed by plaintiff is either incomplete or inconsistent. The motion reflects that he was last employed on November 9, 2004 making \$580.00 weekly, that he has not received any money from any source in the past twelve months, has no cash or checking or savings accounts, and owns a 1990 Honda Accord. The motion further reflects that he contributes 100% support for his son.

It is apparent that plaintiff must have been receiving money from some source within the past 12 months to have shelter, food, clothing and the other necessities of life as well as to contribute 100% support for his son. Plaintiff is directed to either file an amended IFP motion which provides more complete details of how he has lived for the last year without money from any source or to pay the required filing fee. The Clerk is to send plaintiff another application to proceed in forma pauperis along with his copy of this order. The failure to file either a complete amended IFP motion or to pay the required filing fee within 30 days of the file-date of this order will result in dismissal of the lawsuit without prejudice.

IT IS SO ORDERED this 10th day of August, 2005.


UNITED STATES DISTRICT JUDGE