

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

JERAD KEITH DUNKIN
ADC # 144105

PLAINTIFF

V.

4:10-cv-00106-JMM

D. PAUL PETTY, Attorney, Searcy, Arkansas; GREG MOLE, Detective, Searcy Police Department; CALE HOPKINS, Owner/employee, Searcy Towing & Recovery; ALAN EDWARDS, Officer, Newport Police Department/Jackson County; STEVE BORGER, Owner, Razorback Auto Sales; LAUREL BRIGHT, Police Officer, Searcy Police Department; JOE SMITH, Employee, Orr Nissan; CYNTHIA J. BAKER, Deputy Prosecuting Attorney, White County; ROBERT PARSONS, Police Officer, Judsonia Police Department; MUSKIE HARRIS, Employee, Sobriety Living; RICKY MOROLES, Detective, Jackson County Sheriff's Department; and TIM PFLUGRADT, Employee, Orr Nissan

DEFENDANTS

ORDER

Plaintiff, an inmate at the Grimes Unit of the Arkansas Department of Correction, filed a *pro se* complaint (Doc. No. 2) pursuant to 42 U.S.C. § 1983, accompanied by an application to proceed *in forma pauperis* (Doc. No. 1). Because Plaintiff submitted a declaration that made the showing required by 28 U.S.C. § 1915(a), the request to proceed *in forma pauperis* was granted and he was directed to pay a \$50.00 initial partial filing fee (Doc. No. 5). Plaintiff has now notified the Court that he has been paroled and returned to his home (Doc. No. 12).

When a plaintiff proceeding *in forma pauperis* is released from confinement, the Court's policy is to require re-submission of affidavits to determine whether the plaintiff should be required to pay all, or a portion of, the fees and costs of the lawsuit. If Plaintiff wishes to proceed with this

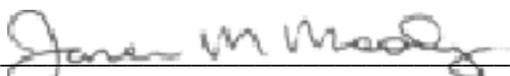
lawsuit, he is directed to resubmit his request to proceed *in forma pauperis* to the Court within fourteen (14) days after the entry date of this Order. Plaintiff must also submit to the Court the previously-ordered \$50.00 initial partial filing fee, and the Court will set a schedule for the payment of the remaining balance. In the alternative, Plaintiff may pay the full filing of \$350.00 in order to proceed with this action. Plaintiff is reminded of his responsibilities under Local Rule 5.5(c)(2)¹, and that the failure to comply may result in dismissal of this action, without prejudice.

IT IS THEREFORE ORDERED that:

1. The Clerk is directed to mail Plaintiff an Application to Proceed *In Forma Pauperis*, along with a copy of this Order.

2. Plaintiff is directed to complete and resubmit his amended Application to Proceed *In Forma Pauperis* within fourteen (14) days after the entry date of this order, along with the previously-ordered \$50.00 initial partial filing fee; or the full \$350.00 filing fee balance in lieu of the application. Failure to do so may result in dismissal of this action, without prejudice.

DATED this 2nd day of April, 2010.



JAMES M. MOODY
UNITED STATES DISTRICT JUDGE

¹ Local Rule 5.5(c)(2) provides that:

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.