

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

WILLIAM F. CARADINE/ASSABUR  
ADC # 90785

PLAINTIFF

v.

Case No. 4:11-cv-26-DPM

WAL-MART, INC.

DEFENDANT

ORDER

Plaintiff, William F. Caradine/ Assabur, a prisoner in the Varner Super Max Unit of the Arkansas Department of Correction, has filed this *pro se* § 1983 action alleging violations of his constitutional rights. He has not paid the \$350 filing fee or filed a motion to proceed *in forma pauperis*.

On 2 February 2011, the Court gave Caradine/ Assabur thirty days to either pay the filing fee in full or file a fully and properly completed Application to Proceed *In Forma Pauperis*, along with a prisoner calculation sheet. Caradine/ Assabur instead filed an addendum, notice, and motion for service, which provide no information about his financial status. The Court advised Caradine/ Assabur that the failure to comply with this Court's order would result in the dismissal of his case, without prejudice, pursuant to Local

Rule 5.5(c)(2). *Document No. 3, at 2-3.* His case is therefore dismissed without prejudice. Local Rule 5.5(c)(2).

The motion for service, *Document No. 7,* is denied as moot. An *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

  
\_\_\_\_\_  
D.P. Marshall Jr.  
United States District Judge

  
\_\_\_\_\_  
27 May 2011