

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

SHAMARR HOWELL

PLAINTIFF

V.

4:11CV00508 BSM/HDY

FAULKNER COUNTY
DETENTION CENTER *et al.*

DEFENDANTS

ORDER

Plaintiff Shamarr Howell, formerly held at the Faulkner County Detention Center, filed this *pro se* complaint, pursuant to 42 U.S.C. § 1983, on June 23, 2011, and he was granted leave to proceed *in forma pauperis* (“IFP”) pursuant to 28 U.S.C. § 1915(a) (docket entry #9). However, on September 22, 2011, Plaintiff filed a notice of a change of address which indicates that he has been released from custody (docket entry #26).

When a plaintiff is released from confinement, the Court’s policy is to require re-submission of affidavits to determine whether he should be required to pay all, or a portion of, the fees and costs of the lawsuit. Accordingly, if Plaintiff wishes to proceed with this lawsuit, he is directed to, no later than 30 days after the entry of this order, resubmit an IFP application which reflects his free-world financial status, or to pay the full \$350.00 filing fee. Plaintiff’s failure to do so will result in the recommended dismissal of this action, without prejudice.

The Court also notes that Defendants have filed a motion to dismiss, along with a brief in support, and a supporting affidavit (docket entries #23-#25). Plaintiff’s response to the motion to dismiss is also due no later than 30 days after the entry of this order, and his failure to respond will result in the recommended dismissal of his complaint.

IT IS THEREFORE ORDERED THAT:

1. The Clerk is directed to forward an IFP application to Plaintiff.
2. Plaintiff is directed to submit, no later than 30 days after the entry of this order, either the full \$350.00 statutory filing fee, or to complete and sign the IFP application, and file it. Plaintiff's failure to do so will result in the recommended dismissal of his complaint.
3. The Clerk is directed to forward to Plaintiff a copy of Defendants' motion to dismiss, brief in support, and supporting affidavit (docket entries #23-#25).
4. Plaintiff is directed to respond to Defendants' motion to dismiss no later than 30 days after the entry of this order, and his failure to do so will result in the recommended dismissal of his complaint.

DATED this 26 day of September, 2011.



UNITED STATES MAGISTRATE JUDGE