

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

NATALIE L. HORTON
and RANDOLPH W. MARTIN

PLAINTIFFS

v.

No. 4:11CV00917 JLH

U.S. BANK NATIONAL ASSOCIATION;
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.; and DYKE, HENRY,
GOLDSHOLL, & WINZERLING, PLC

DEFENDANTS

ORDER

This action was commenced on December 30, 2011, when the plaintiffs filed their complaint. Although they submitted a check for the filing fee, that check was returned to the Court as unpaid due to insufficient funds. On January 12, 2012, an employee of the Court sent Mr. Martin a letter informing him that the check had been returned and directing him to submit a Cashier's Check or money order. A copy of that letter is attached hereto. Mr. Martin has not responded, and the filing fee has never been paid.

Local Rule 5.5(c)(2) provides, in pertinent part, "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." Because the statutorily required filing fee has not been paid and because no response was made to the direction from the Court that the filing fee must be paid, this action is dismissed without prejudice.

IT IS SO ORDERED this 21st day of February, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
OFFICE OF THE CLERK
600 WEST CAPITOL AVENUE
SUITE A149
LITTLE ROCK, ARKANSAS 72201-3325**

**JAMES W. McCORMACK
CLERK**

**(501)604-5127
FAX(501)604-5325**

January 12, 2012

Randolph W. Martin, II
1323 W. 12th St.
Little Rock, AR 72202

Re: Filing Fee for Case No. 4:11-CV-917-JLH

Mr. Martin:

Your check no. 991 written on December 30, 2011, in the amount of \$350.00 has been returned to us unpaid due to insufficient funds. You should contact your bank for more information regarding the check.

Please send a cashier's check or money order in the amount of \$403.00 to the address shown above no later than January 27, 2012. The \$53.00 returned check charge is included in this amount.

If you have any questions, please call our Financial Administration Office at 501-604-5127.

Sincerely,

Jason Cauley
Financial Administrator

cc: Cory Wilkins
Courtroom Deputy for Judge Holmes

CERTIFIED MAIL - RETURN RECEIPT REQUESTED