

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

TONYA MAZORA

PLAINTIFF

v.

No. 4:12-cv-00801 KGB

ARKANSAS DEPARTMENT OF HUMAN SERVICES

DEFENDANT

ORDER

Plaintiff Tonya Mazora has renewed her request to proceed *in forma pauperis* and for appointment of counsel (Dkt. No. 12). In support of her motion, Ms. Mazora submits the decision of the Arkansas Board of Review finding that Ms. Mazora was discharged for reasons other than misconduct and reinstating Ms. Mazora's unemployment benefits. Ms. Mazora asks the Court to reconsider her request to proceed *in forma pauperis* and for appointed counsel on the basis that the Board of Review did not find any misconduct, dishonesty, or deceptive behavior on her part.

The Court previously determined that Ms. Mazora has the resources to pay a filing fee (Dkt. No. 9). The unemployment benefits Ms. Mazora stands to receive constitute additional income. Therefore, Ms. Mazora's renewed request to proceed *in forma pauperis* is denied. Ms. Mazora is reminded that her failure to tender the \$350 filing fee in full in accordance with the Court's February 27, 2013, Order may result in summary dismissal of her complaint.

In regard to appointment of counsel, the decision of the Arkansas Board of Review demonstrates that Ms. Mazora is capable of investigating the facts of the case and presenting her claims, at least at this stage. Therefore, Ms. Mazora's motion for appointment of counsel is denied at this time. If it appears at a later date that the Court and Ms. Mazora would benefit from the appointment of counsel, Ms. Mazora may renew her motion.

* * *

For the foregoing reasons, Ms. Mazora's renewed request to proceed *in forma pauperis* and for appointment of counsel is denied (Dkt. No. 12).

SO ORDERED this 7th day of March, 2013.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Kristine G. Baker
United States District Judge