

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

**FREDERICK BANKS**

**PLAINTIFF**

**v.**

**No. 4:13-cv-412-DPM-JTR**

**DAVENPORT; CHARLES SAMUELS;  
FEDERAL BUREAU OF PRISONS;  
ANTHONY HAYNES; TRACIE FENNER;  
DANIEL NELLOR; CUCCIO; ROBERTS;  
USA; PRICE; SALVATION ARMY; DOES 1-13**

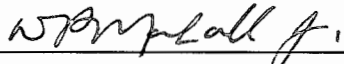
**DEFENDANTS**

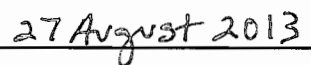
**ORDER**

Frederick Banks is a “notoriously frivolous filer” who recently was prohibited from filing any future pleadings in this District without prior approval. *Banks v. Antitrust Division*, Case No. 4:13-cv-455-BSM (E.D. Ark. 12 Aug. 2013). After Banks was released from prison but before he became a restricted filer, he filed a *pro se* action complaint alleging that prison officials in Forrest City, Arkansas violated his constitutional rights by using “remote neural monitoring” to “monitor, record, converse, and harass” him. *No. 1*. Banks also has filed a motion demonstrating that he does not have sufficient funds to pay the \$350 filing fee. *No. 2*.

The motion to proceed *in forma pauperis*, No 2, is granted. Banks's frivolous complaint, No 1, is dismissed without prejudice for failing to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2)(B). An *in forma pauperis* appeal 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 August 2013