

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

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|---------------------------------|---|-----------------------|
| DAVID LIBRACE, | * | |
| | * | |
| Plaintiff, | * | |
| vs. | * | No. 4:14-cv-00269-SWW |
| | * | |
| | * | |
| EQUIFAX INFORMATION | * | |
| SERVICES LLC, a foreign limited | * | |
| liability company, | * | |
| | * | |
| Defendant. | * | |

ORDER

Plaintiff David Librace, who is proceeding *pro se*, has filed a complaint against Equifax Information Services LLC (Equifax) alleging violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* Plaintiff’s complaint, however, is deficient in at least two respects. First, plaintiff’s complaint is not signed as required by Fed.R.Civ.P. 11 and Local Rule 5.5(c)(2). Second, the caption of plaintiff’s complaint only lists Equifax as a defendant while the body of the complaint also appears to name “Transunion” and “Experian” as defendants.

The Court directs that within twenty (20) days of the date of entry of this order, plaintiff file an amended complaint that is signed by him and lists each defendant he is suing. Plaintiff must set forth specific facts concerning the allegations he has set forth including, where applicable, dates, times and places.

In addition, the Court notes that plaintiff seeks leave to proceed *in forma pauperis*. Should plaintiff be granted leave to proceed *in forma pauperis*, he must provide proper addresses of the defendants for service. See *Lee v. Armontrout*, 991 F.2d 487, 489 (8th Cir. 1993) (*per curiam*) (it is *in forma pauperis* plaintiff’s responsibility to provide proper address for service).

Accordingly, the Court directs that within twenty (20) days of the date of entry of this order, plaintiff provide proper addresses for service for all defendants he is suing.

Finally, the Court directs plaintiff's attention to the fact that he is required to be familiar and comply with all the Federal Rules of Civil Procedure as well as the Local Rules of this Court. Failure to so comply can result in dismissal of plaintiff's claim. The Federal Rules of Civil Procedure are available in many libraries and bookstores and the Local Rules can be obtained from the Clerk of the Court for the Eastern District of Arkansas. In addition, said rules may be accessed from the internet website of the United States District Court for the Eastern District of Arkansas. Plaintiff is hereby instructed to be familiar and comply with said rules.¹

The Clerk of Court is directed to serve this Order on plaintiff by both regular and certified mail, return receipt requested.

IT IS SO ORDERED this 7th day of May 2014.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE

¹ Local Rule 5.5(c)(2) provides: "Parties appearing *pro se*. It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. 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. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure." See also *Lindstedt v. City of Granby*, 238 F.3d 933, 937 (8th Cir. 2000) (per curiam) (*pro se* litigant is bound by same litigation rules as lawyers, particularly with regard to fulfilling simple discovery requirements).