

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

**DAVID PATTERSON
ADC # 129780**

PLAINTIFF

v.

NO: 4:21-CV-00673-LPR

LEONARD HOGG, et al.

DEFENDANTS

ORDER

Plaintiff David Patterson filed this action *pro se* pursuant to 42 U.S.C. § 1983. (Doc. 2). Mr. Patterson also filed an Application to Proceed *In Forma Pauperis* (“Application”). (Doc. 1).


An inmate seeking *in forma pauperis* status must submit a Calculation of Initial Payment of Filing Fee sheet, prepared and signed by an authorized official of the detention facility, and “a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint . . . obtained from the appropriate official” of the facility where the inmate is confined. 28 U.S.C. § 1915(a)(2). Mr. Patterson submitted the required affidavit and a certificate. (Doc. 1). But the certificate was not signed by an authorized official of the Lincoln County Detention Center. (*Id.* at 2). And Mr. Patterson did not submit a calculation sheet. Accordingly, on July 28, 2021, the Court denied Mr. Patterson’s Application as incomplete. (Doc. 3). The Court also directed Mr. Patterson either to pay the \$402 filing and administrative fees or to file a complete motion to proceed IFP within 30 days. (*Id.*). Mr. Patterson was cautioned that if he did not do one or the other, his case would be dismissed without prejudice.¹ (*Id.*).

¹ Local Rule of the Court 5.5(c)(2), provides:

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

A copy of the July 28, 2021 Order was mailed to Mr. Patterson at his address of record. More than 30 days have passed, and Mr. Patterson has not paid the filing fee, filed a complete application to proceed IFP, or otherwise responded to the Court's July 28, 2021 Order. Accordingly, Mr. Patterson's claims are dismissed without prejudice. The Court certifies that an *in forma pauperis* appeal is considered frivolous and not in good faith.

IT IS SO ORDERED this 8th day of September, 2021.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE

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.