

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

XAVIER OATES

PLAINTIFF

v.

No. 4:23-cv-221-DPM

**BROCKMAN, Sgt., Faulkner
County Detention Center;
HUFFMAN, Captain, Faulkner
County Detention Center; SCOTT,
Lt., Faulkner County Detention
Center; TIM RYALS; and DOES,
Captain, "John" and "Jane,"
Faulkner County Detention Center**

DEFENDANTS

ORDER

1. The Court withdraws the reference.
2. Oates hasn't paid the \$402 administrative and filing fee or filed an application to proceed *in forma pauperis*; and the time to do so has passed. *Doc. 2*. His mail is being returned. *Doc. 3-5*. His complaint will therefore be dismissed without prejudice. LOCAL RULE 5.5(c)(2). An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

22 May 2023