

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

THOMAS COFFREY,
ADC #98459

PLAINTIFF

v.

5:09CV00312HLJ

GREGG MOORE, et al.

DEFENDANTS

ORDER


Plaintiff, a state inmate incarcerated at the East Arkansas Regional Unit of the Arkansas Department of Correction (ADC), filed this action pursuant to 42 U.S.C. § 1983 and paid the \$350.00 filing fee (DE #2).

However, since plaintiff is incarcerated, plaintiff and the Court must rely on the United States Marshal Service for the issuance of summons and service of the complaint on the defendants. Therefore, plaintiff must first submit a completed in forma pauperis application prior to this Court's ruling on the issuance of summons in this action. Accordingly,

IT IS, THEREFORE, ORDERED that plaintiff file an updated application to proceed in forma pauperis within fifteen days of the date of this Order. Failure to file such shall result in the dismissal without prejudice of plaintiff's complaint. See Local Rule 5.5(c)(2). The Clerk of the Court is hereby directed to forward to the plaintiff an in forma pauperis application.

IT IS FURTHER ORDERED that plaintiff's motion for the appointment of counsel (DE #3) is hereby DENIED without prejudice.

DATED this 4th day of November, 2009.



United States Magistrate Judge