

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

MARCUS LAVON WRIGHT

PETITIONER

V.

CASE NO. 5:10CV00344 JMM-JTK

RAY HOBBS, Director,  
Arkansas Department of Correction

RESPONDENT

**ORDER**

Petitioner, an inmate at the East Arkansas Regional Unit in Brickeys, Arkansas, has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 (DE #2). Pending before the Court is his Motion to Proceed *In Forma Pauperis* (DE #1). Petitioner’s application is incomplete because it does not include a Prisoner Trust Fund Calculation Sheet.<sup>1</sup>

If Petitioner wishes to proceed with this action, he must either (1) pay the \$5.00 filing fee in full;<sup>2</sup> or (2) file a properly completed Application to Proceed *In Forma Pauperis* that includes a Prisoner Trust Fund Calculation Sheet. Petitioner is hereby advised that failure to timely and properly comply with this Order could result in the dismissal of this habeas action, without prejudice, pursuant to Local Rule 5.5(c)(2).<sup>3</sup>

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<sup>1</sup>The Prisoner Trust Fund Calculation Sheet must be prepared and signed by an authorized officer at the incarcerating facility.

<sup>2</sup>Any payment Petitioner sends to the Court must clearly indicate that it is for payment of the filing fee in *Wright v. Hobbs*, 5:10CV00344 JMM-JTK.

<sup>3</sup>Local Rule 5.5(c)(2) provides that “[i]t 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.*

IT IS THEREFORE ORDERED THAT:

1. The Clerk forward to Petitioner an Application to Proceed *In Forma Pauperis* that includes the Prisoner Trust Fund Calculation Sheet (Civil Form AO-40).

2. The Petitioner, no later than January 3, 2011, either (1) pay the \$5.00 statutory filing fee in full; or (2) file a properly completed Application to Proceed *In Forma Pauperis*.

SO ORDERED this 3rd day of December, 2010.



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UNITED STATES MAGISTRATE JUDGE

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Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.” (Emphasis added.)