

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

JOHN H. BOLDIN
ADC #138089

PETITIONER

v.

CASE NO. 5:10CV00352 SWW-JTK

RAY HOBBS, Director
Arkansas Department of Correction

RESPONDENT

ORDER

Petitioner, an inmate housed at the Varner Unit in Grady, Arkansas, has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. (DE #1) However, Petitioner has neither paid the \$5.00 filing fee nor filed an Application to Proceed *In Forma Pauperis*.

If Petitioner wishes to proceed with this action, he must either: (1) pay the \$5.00 filing fee in full;¹ or (2) file a properly completed Application to Proceed *In Forma Pauperis*. Petitioner is hereby advised that the 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).²

IT IS THEREFORE ORDERED THAT:

¹Any payment Petitioner sends to the Court must clearly indicate that it is for payment of the filing fee in “*Boldin v. Hobbs*, 5:10CV00352 SWW-JTK”

²Petitioner is hereby notified of his responsibility to comply with the Local Rules of the Court, including Rule 5.5(c)(2), which states:

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.

1. The Clerk of Court forward to Petitioner an Application to Proceed *In Forma Pauperis*.

2. Within thirty (30) days of the entry-date of this Order, Petitioner must 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 13th day of December, 2010.



UNITED STATES MAGISTRATE JUDGE