

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

TERRY PROCTOR,
ADC #87410

PLAINTIFF

v.

5:10-cv-00376-SWW-JTK

NEEMA SUPHAN, et al.

DEFENDANTS

ORDER

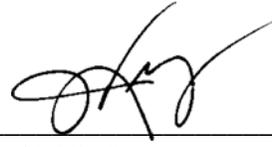
Plaintiff, a state inmate incarcerated at the Varner Super Max Unit of the Arkansas Department of Correction (ADC), filed this action pursuant to 42 U.S.C. § 1983 and paid the \$350.00 filing fee (Doc. No. 10).

However, since Plaintiff is incarcerated, he 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 application to proceed in forma pauperis within 15 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 the Clerk re-docket Plaintiff's Motion for Order to Show Cause (Doc. No. 9) as a Proposed Order in support of his Motion for Temporary Restraining Order (Doc. No. 6).

IT IS SO ORDERED this 14th day of February, 2011.

A handwritten signature in black ink, appearing to read 'JK', is written above a horizontal line.

JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE