

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

|                               |   |                                       |
|-------------------------------|---|---------------------------------------|
| TONY A HICKMAN,               | ) |                                       |
| ADC # 090793                  | ) |                                       |
| Plaintiff,                    | ) | <b>Case No. 5:12-CV-00309 SWW-JTK</b> |
|                               | ) |                                       |
| v.                            | ) |                                       |
|                               | ) |                                       |
| RAY HOBBS, Director, Arkansas | ) |                                       |
| Department of Correction      | ) |                                       |
| Defendant.                    | ) |                                       |

**ORDER**

Petitioner, an inmate in the Arkansas Department of Correction, has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 (Doc. No. 1). He 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<sup>1</sup> 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).<sup>2</sup>

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<sup>1</sup> Any payment Petitioner sends to the Court must clearly indicate that it is for payment of the filing fee in “*Hickman v. Hobbs*, 5:12-CV-00309 SWW-JTK.”

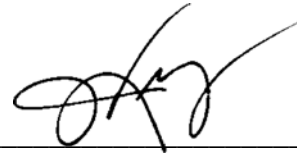
<sup>2</sup> Petitioner is hereby notified of his responsibility to comply with the Local Rules of the Court, including Rule 5.5(c)(2), which states the following:

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

IT IS THEREFORE ORDERED THAT:

1. The Clerk of Court is to 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 20<sup>th</sup> day of August, 2012.



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United States Magistrate Judge

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familiar with and follow the Federal Rules of Civil Procedure.