

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

GILBERTO MARTINEZ-MARMOL,
ADC #151776

PETITIONER

v.

5:16CV00045-KGB-JJV


WENDY KELLY, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

Mr. Martinez-Marmol, an inmate in the Cummins Unit, Arkansas Department of Correction, has filed a *pro se* Petition for Writ of Habeas Corpus. (Doc. No. 1.) However, he has not paid the \$5.00 filing fee, nor has he filed a proper and complete Application to Proceed Without Prepayment of Fees and Affidavit. Mr. Martinez-Marmol shall submit within thirty days from the entry date of this Order either the \$5.00 filing fee or a proper and complete Application with calculation sheet and certified copy of his trust fund account statement for the preceding six months. Mr. Martinez-Marmol's failure to comply with this Order may result in the dismissal of his case without prejudice.¹ The Clerk of the Court shall mail Mr. Martinez-Marmol an Application to Proceed Without Prepayment of Fees and calculation sheet.

SO ORDERED this 22nd day of February 2016.



JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE

¹Local Rule 5.5(c)(2) provides: "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."