

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

QUADRO KENYATTA MILES

PLAINTIFF

v.

Case No. 10-1077

DR. SEALE, *et al.*

DEFENDANTS

ORDER

Now on this 5th day of April 2011, there comes on for consideration the report and recommendation filed on March 7, 2011, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas (doc. 4). Also before the Court are Plaintiff's objections to the report and recommendation (doc. 5).

The court has reviewed this case *de novo*. The report and recommendation recommends dismissal of Plaintiff's Complaint for failure to prosecute and obey an order of the Court, specifically, failure to timely return his application to proceed *in forma pauperis* or to pay the filing fee. In his objections, Plaintiff contends he just became aware his IFP application was incomplete and requests the Court to provide him with another application. Accordingly, the Court declines to adopt the report and recommendation.

The U.S. District Clerk is directed to send Plaintiff a blank IFP application, and Plaintiff has until May 3, 2011, to return the

application or pay the \$350.00 filing fee.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge