

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

ROBERT S. PHILPOTT

PLAINTIFF

v.

Civil No. 08- *2135*

OFFICER GRISIM, Fort
Smith Police Department

DEFENDANT

ORDER

Robert S. Philpott has submitted for filing in this district a pro se civil rights action under 42 U.S.C. § 1983. We find the complaint should be provisionally filed prior to a determination regarding plaintiff's status as a pauper and service of process. The United States District Clerk is directed to file the complaint.

Plaintiff failed to submit with his complaint an *in forma pauperis* (IFP) application. For this reason, **the clerk is directed mail the plaintiff a blank IFP application.** Plaintiff is given until **December 29, 2008**, to either complete, sign, and return the application to this court for review and filing or pay the \$350 filing fee. **If the plaintiff fails to return the completed IFP application or pay the \$350 filing fee by December 29, 2008, the complaint will become subject to summary dismissal for failure to obey an order of the court.**

IT IS SO ORDERED this 5 day of December 2008.

U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED

DEC 08 2008

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK


HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE