

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

VAUGHN DAMON WILSON

PLAINTIFF

v.

Civil No. 09-2025

CITY OF ALMA, ARKANSAS;
ALMA CITY COURT; and
THE STATE OF ARKANSAS

DEFENDANTS

O R D E R

Now on this 27th day of May, 2009, comes on for consideration plaintiff's **Motion To Dismiss** (document #11), and from said documents the Court finds and orders as follows:

Plaintiff applied for, and was granted, *in forma pauperis* (*ifp*) status in this case. That status allows a qualified person to file a lawsuit in United States District Court without payment of the \$350 filing fee. The Court later determined that plaintiff was not eligible for *ifp* status, and entered an Order giving him until June 1, 2009, to pay his filing fee, failing which his case would be dismissed.

Plaintiff now moves to dismiss, asserting that "[i]t appears that the court has predetermined that it has no jurisdiction in this case." That, of course, is not what happened at all. The Court simply determined that plaintiff would have to pay the filing fee paid by any non-indigent litigant if he wanted to use the United States District Court to resolve his dispute with the defendant. It seems that he does not, and his motion will be **granted**.

IT IS THEREFORE ORDERED that this matter is **dismissed**.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE