

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

CARL EDWARD MEYERS

PLAINTIFF

v.

CASE No. 09-2086

STATE OF ARKANSAS

DEFENDANT

**ORDER**

Carl Edward Meyers submitted this pro se action for filing pursuant to 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 hereby directed to provisionally file the complaint.

The plaintiff did not submit with his complaint a completed application to proceed *in forma pauperis* (IFP) – the second page of the application is not completed and it is not signed by the Plaintiff. The clerk of court is directed to provide the plaintiff with an *in forma pauperis* application. Plaintiff is given up to and including August 11, 2009, in which to complete the IFP application.

The application should be returned to the undersigned for review and filing. Should plaintiff fail to return the application within the required period of time or complete the application as directed, his complaint will become subject to dismissal for failure to obey a court order.

The undersigned will determine at a later time whether the complaint should be served on the defendant.

IT SO ORDERED this 13th day of July 2009.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI  
UNITED STATES MAGISTRATE JUDGE