

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

PHILLIP MORRIS

PLAINTIFF

v.

CIVIL NO. 09-2136

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

ORDER

Plaintiff has submitted a complaint for filing in this district, together with a request for leave to proceed *in forma pauperis*. After review, it is found that plaintiff is unable to pay for the costs of commencement of suit and, accordingly, the following order is entered this 29th day of October 2009:

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed *in forma pauperis* is granted. The clerk is hereby directed to file the complaint *nunc pro tunc* as of October 28, 2009. Additionally, the court hereby directs that a copy of the complaint filed herein, along with a copy of this order, be served by the plaintiff by certified mail, return receipt requested, on the defendant, Michael J. Astruc, Commissioner, Social Security Administration, as well as Eric H. Holder, Jr., U.S. Attorney General, and Mark W. Webb, Assistant U.S. Attorney, without prepayment of fees and costs or security therefor. The defendant is ordered to answer within sixty (60) days from the date of service.

IT IS SO ORDERED.



HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE

U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED

OCT 29 2009

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK