

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

JAMES EVERETT BARKER

PLAINTIFF

v.

CIVIL NO. 10-2057

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 5<sup>th</sup> day of May 2010:

IT IS HEREBY ORDERED that Plaintiff's motion for leave to proceed *in forma pauperis* be granted. The clerk is hereby directed to file the complaint *nunc pro tunc* as of May 3, 2010. Additionally, the court hereby directs that a copy of the complaint filed herein, along with a copy of this order, be served by Plaintiff by certified mail, return receipt requested, on Defendant, Michael J. Astrue, 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.


U. S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

MAY 05 2010

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK

  
HON. JAMES R. MARSCHEWSKI  
CHIEF U.S. MAGISTRATE JUDGE