

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

CYNTHIA ELA CALDWELL

PLAINTIFF

v.

CIVIL NO. 10-2140

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* ("IFP"). We find that the complaint should be provisionally filed prior to a determination regarding Plaintiff's status as an indigent. The clerk is directed to file the complaint *nunc pro tunc* as of September 15, 2010.

Plaintiff's IFP application will be returned without filing. On her application, Plaintiff indicates that she jointly owns a home and two checking accounts, but does not specify whether she is married, and if so, the nature of her husband's employment. Under Part 2(c), Plaintiff must indicate *any* remaining sources of support, including those received from a family member or spouse. As such, the clerk is directed to return the IFP application to counsel with instructions to provide more specific information regarding Plaintiff's husband's employment and salary. Plaintiff is directed to file her amended IFP application on or before September 30, 2010. Should Plaintiff fail to comply within the required period of time, her complaint will become subject to summary dismissal for failure to obey a court order.

IT IS SO ORDERED this 16th day of September 2010.

U. S. DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FILED

SEP 16 2010

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK


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