

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

KELVIN GRAY

PLAINTIFF

v.

Civil No. 4:16-cv-04021

SERGEANT McCLURE; SERGEANT  
D. FLOYD, Maintenance; SHERIFF RON  
STOVALL, Miller County, Arkansas; WARDEN  
M. BRAZELL; SERGEANT M. MOON; and  
L. MAULDIN, Kitchen Supervisor

DEFENDANTS

**ORDER**

On March 4, 2016, Plaintiff Kelvin Gray filed his Complaint *pro se* in this matter. ECF No. 1. He also submitted an *in forma pauperis* (“IFP”) application that same day. ECF No. 2. On March 14, 2016, the Court denied the IFP application. ECF No. 5. Plaintiff was given until March 28, 2016, to pay the filing fee of \$400.00. The Court informed Plaintiff that if he failed to pay the fee by the deadline, this case would be dismissed without prejudice. ECF No. 5.

Plaintiff’s filing fee was received by the Court on March 24, 2016. Because of a clerical error, however, the payment was not entered on the Court’s docket until July 25, 2016. Unaware that the filing fee had been paid, the Court had dismissed Plaintiff’s Complaint without prejudice on July 14, 2016. ECF No. 8. The case was then closed.

Because the case was dismissed and closed in error, the Court **VACATES** its Order of Dismissal filed July 14, 2016 (ECF No. 8.) and **DIRECTS** the Clerk to reopen this case. The Court will proceed with preservice screening of Plaintiff’s Complaint in accordance with the Prison Litigation Reform Act.

IT IS SO ORDERED, this 5th day of August, 2016.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge