

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

MARCO ANTONIO TORRES RUBIO PLAINTIFF

v. Civil No. 07-5156

DEPUTY LARKIN, Benton County Detention Center DEFENDANT

ORDER

Marco Antonio Torres Rubio 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 file the complaint.

The plaintiff did not submit with his complaint the filing fee or a completed application to proceed *in forma pauperis* (IFP). **The clerk of court is directed to provide the plaintiff with an in forma pauperis application.** Plaintiff is given up to and including October 1, 2007, in which to complete the IFP application including having the prison account portion of the application completed by detention center personnel. 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 IS SO ORDERED this 7th day of September, 2007.


JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE

U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED

SEP 11 2007

CHRIS H. JENNINGS, CLERK
BY  DEPUTY CLERK