

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

ADALID MONTIEL FIGUEROA

PLAINTIFF

v.

Civil No. 07- 5177

CARRIE DABBS, Deputy Prosecuting  
 Attorney, Benton County, Arkansas

DEFENDANT

ORDER

Adalid Montiel Figueroa, currently an inmate of the Benton County Detention Center, has submitted for filing in this district a pro se civil rights action under 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 directed to file the complaint.

Rule 9.1 of the Local Rules for the Eastern and Western Districts of Arkansas requires that the complaints filed by incarcerated person be submitted on court-approved forms. Plaintiff did not utilize the court's form complaint. **The clerk is directed to mail the plaintiff a form complaint and an application to proceed in forma pauperis (IFP). Plaintiff is given until October 26, 2007, to return to the court the form complaint and the completed IFP application or pay the \$350 filing fee.** Plaintiff is advised if he fails to comply with the order of this court his case will be subject to being summarily dismissed.

IT IS SO ORDERED this 9 day of October 2007.

  
 HON. JAMES R. MARSCHEWSKI  
 UNITED STATES MAGISTRATE JUDGE

U.S. DISTRICT COURT  
 WESTERN DISTRICT OF ARKANSAS  
 FILED

OCT 10 2007  
 CHRIS R. JOHNSON, CLERK

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BY \_\_\_\_\_  
 DEPUTY CLERK