

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

MARK WEAVER

PLAINTIFF

v.

CASE No. 08-5196

CAPTAIN PETRAY;

DEFENDANT

ORDER

Mark Weaver 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 a completed application to proceed *in forma pauperis* (IFP) - the inmate account portion of the application has not been completed by Plaintiff's institution of incarceration. The clerk of court is directed to provide the plaintiff with an *in forma pauperis* application. Plaintiff is given up to and including September 26, 2008, in which to complete the IFP application including having the inmate 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 SO ORDERED this 27 day of August 2008.



HON. JAMES R. MARSCIEWSKI
UNITED STATES MAGISTRATE JUDGE

U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED

SEP 03 2008

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK