

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

OMA LEE JAMES, JR.

PLAINTIFF

v.

Civil No. 08-5265

SHANE M. KERR, Public
Defender

DEFENDANT

ORDER

Oma Lee James, Jr., currently an inmate of the Washington 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.

With his complaint, plaintiff submitted an *in forma pauperis* (IFP) application. However, he failed to have the certification regarding inmate funds held in his name completed. For this reason, **the clerk is directed to return the IFP application to him.** Plaintiff is given until **January 5, 2009**, to either have the certificate portion of the IFP application completed by the appropriate detention center official and return the application to this court for review and filing or pay the \$350 filing fee. **If the plaintiff fails to return the completed IFP application or pay the \$350 filing fee by January 5, 2009, the complaint will become subject to summary dismissal for failure to obey an order of the court.**

IT IS SO ORDERED this 16 day of December 2008.

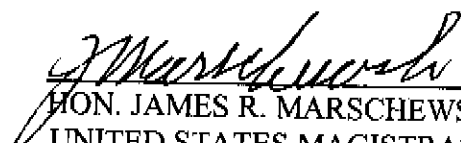
U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED

DEC 19 2008

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK


HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE