

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

JAMES LEONARD TONEY

PLAINTIFF

v.

Civil No. 6:17-cv-06130

SHERIFF MIKE CASH, *et. al.*

DEFENDANTS

**ORDER**

Before the Court is the issue of Plaintiff's IFP status. On May 7, 2018, the Court revoked Plaintiff's status as a pauper based on research indicating Plaintiff had previously filed three lawsuits which were dismissed as frivolous, malicious or failed to state a claim upon which relief may be granted. The case was also stayed pending Plaintiff's payment of the filing fee. (ECF No. 22). Based on Plaintiff's responses to this revocation in other cases currently filed in this District, the Court has gone back and determined that Plaintiff does not have three dismissals which would count as strikes against him.

Accordingly, the Order Revoking Plaintiff's IFP status and staying proceedings in the case (ECF No. 22) is **RESCINDED**, and Plaintiff's IFP status is reinstated pursuant to the Order of January 11, 2018. (ECF No. 6). Pursuant to the provisions of the Prison Litigation Reform Act, **the clerk is directed to collect the \$350.00 filing fee from the Plaintiff.** The matter of service will be determined at a later time.

Plaintiff is advised that he is required to immediately inform the Court of any change of address. **If Plaintiff is transferred to another jail or prison, he shall have 30 days from the date of transfer in which to notify the Court of his new address.** Plaintiff shall submit a change of address on a separate piece of paper entitled "Notice to the Court of Change of Address" and not include any motions or otherwise request relief in this document. The notice shall contain only

information pertaining to the address change. **Plaintiff's case shall be subject to dismissal if he fails to inform the Court of an address change.**

**The deadline to conduct discovery is extended until October 26, 2018. The deadline to file dispositive motions is extended until November 23, 2018.**

**IT IS SO ORDERED this 18th day of June 2018.**

/s/ Barry A. Bryant

HON. BARRY A. BRYANT  
UNITED STATES MAGISTRATE JUDGE