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

FREDERICK BANKS

PLAINTIFF

v. No. 4:13-cv-412-DPM-JTR

DAVENPORT; CHARLES SAMUELS; FEDERAL BUREAU OF PRISONS; ANTHONY HAYNES; TRACIE FENNER; DANIEL NELLOR; CUCCIO; ROBERTS; USA; PRICE; SALVATION ARMY; DOES 1-13

DEFENDANTS

ORDER

Frederick Banks is a "notoriously frivolous filer" who recently was prohibited from filing any future pleadings in this District without prior approval. $Banks\ v$. $Antitrust\ Division$, Case No. 4:13-cv-455-BSM (E.D. Ark. 12 Aug. 2013). After Banks was released from prison but before he became a restricted filer, he filed a $pro\ se$ action complaint alleging that prison officials in Forrest City, Arkansas violated his constitutional rights by using "remote neural monitoring" to "monitor, record, converse, and harass" him. N_2 1. Banks also has filed a motion demonstrating that he does not have sufficient funds to pay the \$350 filing fee. N_2 2.

The motion to proceed *in forma pauperis*, N_{2} , is granted. Banks's frivolous complaint, N_{2} 1, is dismissed without prejudice for failing to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2)(B). An *in forma pauperis* appeal would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.

United States District Judge

27 August 2013