

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION**

FRANCES RENEE
MILLER/PERRY *et al.*
ADC #708998

PLAINTIFFS

V.

NO: 1:08CV00031 SWW/HDY

MARK CULLIOM *et al.*

DEFENDANTS

ORDER

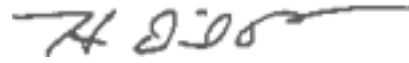
On December 22, 2008, the summons was returned unexecuted as to Defendant Anderson (docket entry #37). A note on the return indicated that Anderson may have be an employee of Correctional Medical Services, Inc. (“CMS”). Accordingly, on December 29, 2008, the Court ordered that service on Anderson be attempted in the care of counsel for CMS. However, on January 12, 2009, Plaintiff filed an objection to that order, in which she clarified that the Anderson she has named as a Defendant is not Dr. Donald Anderson, but rather an Arkansas Department of Correction (“ADC”) correctional officer who was formerly assigned to the McPherson Unit, but is now stationed at the Grimes Unit. Thus, the order directing service on Anderson in the care of CMS will be vacated.

IT IS THEREFORE ORDERED THAT:

1. The Court’s order directing service upon Defendant Anderson in the care of counsel for CMS (docket entry #41) is hereby VACATED.
2. Service is appropriate on Defendant Anderson.
3. The Clerk of the Court is directed to prepare a summons for Defendant Anderson, and

the United States Marshal is directed to serve a copy of the complaint (docket entry #2), and amended complaints (docket entries #6 & #28), this order, and summons, on Defendant Anderson of the Grimes Unit, without prepayment of fees, and costs or security therefor.

DATED this 13 day of January, 2009.



UNITED STATES MAGISTRATE JUDGE