

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

NATHANIEL FITZGERALD,  
ADC #84210

PLAINTIFF

v.

1:10-cv-00039-DPM-JTK

RAY HOBBS, et al.

DEFENDANTS

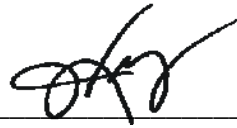
**ORDER**

By Order dated September 20, 2010, United States District Judge D.P. Marshall Jr. directed this Court to reconsider Plaintiff's allegations against Defendants Page and Nance, and to determine whether Plaintiff stated a claim for relief against these Defendants (Doc. No. 20). The Court finds, upon further review of Plaintiff's Complaint and Addenda, that he states an Eighth Amendment deliberate indifference claim against these two Defendants, and that service is now appropriate.

Accordingly,

IT IS, THEREFORE, ORDERED that service is appropriate for the Defendants Warden Page and Dr. Nance. The Clerk of the Court shall prepare summons for the Defendants and the United States Marshal is hereby directed to serve a copy of the Original Complaint (Doc. No. 1), Addenda (Doc. Nos. 9, 15), and summons on Defendant Page in care of the Arkansas Board of Correction and Community Punishment Compliance Division, P.O. Box 20550, Pine Bluff, AR 71612-0550, without prepayment of fees and costs or security therefore. The United States Marshal is hereby directed to serve a copy of the Original Complaint (Doc. No. 1), Addenda (Doc. Nos. 9, 15), and summons on Defendant Dr. Page in care of Humphries and Lewis Law Firm, P.O. Box 20670, White Hall, AR 71612, without prepayment of fees and costs or security therefore.

IT IS SO ORDERED this 1<sup>st</sup> day of October, 2010.

A handwritten signature in black ink, appearing to read 'J. Kearney', is positioned above a horizontal line.

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JEROME T. KEARNEY  
UNITED STATES MAGISTRATE JUDGE