

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

HAYWARD PATTERSON,
ADC #145893

PLAINTIFF

v.

1:13CV00108-JLH-JTK

ROGER TIMS, et al.

DEFENDANTS

ORDER

By Order dated November 27, 2013 (Doc. No. 3), this Court granted Plaintiff's Motion to Proceed in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983. However, finding Plaintiff's Complaint too vague and conclusory to enable the Court to determine whether it is frivolous, fails to state a claim, or states a legitimate claim, the Court provided him the opportunity to submit an Amended Complaint within thirty days. The Court also cautioned Plaintiff that an Amended Complaint would render the Original Complaint without legal effect, and would take the place of his Original Complaint. Plaintiff has now submitted an Amended Complaint, adding as Defendants Lt. Rogers and Deputy Warden Budnik (Doc. No. 5). Having reviewed the Amended Complaint for screening purposes only,¹ it now appears to the Court that service is appropriate for Defendants Tims, Rogers, and Budnik. Accordingly,

IT IS, THEREFORE, ORDERED that service is appropriate for the Defendants Tims, Rogers, and Budnik. 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 Amended Complaint (Doc. No. 5) and summons on Defendants in care of the Arkansas Board of Correction and Community

¹The Prison Litigation Reform Act requires federal courts to screen prisoner complaints seeking relief against a governmental entity, officer, or employee. 28 U.S.C. Sect. 1915A(a).

Punishment Compliance Division, P.O. Box 20550, Pine Bluff, AR 71612-0550, without prepayment of fees and costs or security therefore.

IT IS SO ORDERED this 8th day of January, 2014.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE