

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

CEDRIC GLAZE

PLAINTIFF

v.

2:09CV00113BSM/HLJ

BOBBY MAY, et al.

DEFENDANTS

ORDER

This matter is before the Court on the motion to dismiss filed by defendants Fred Houston and Ronnie Heard (DE #29). Plaintiff has filed a response in opposition to the motion (DE #45).

Plaintiff's allegations against these defendants are that defendant Heard, a parole officer, visited him numerous times while he was incarcerated at the St. Francis County Detention Center (Jail), asking plaintiff to behave so that he could be transferred to a technical violator program (TVP), instead of serving six months in prison. Plaintiff further alleges defendant Heard eventually took plaintiff to a parole hearing, and later told plaintiff he could not take any of his legal work with him when transferred to another facility. When Heard was unable to make contact with any of plaintiff's relatives about picking up the property, Heard then agreed to place the legal papers in a file in his office.

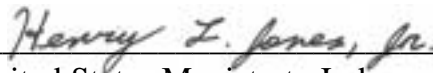
Plaintiff's allegation against defendant Houston is that he was defendant Heard's supervisor, and ordered Heard to take the TVP program away from plaintiff and require him to attend a parole hearing, in retaliation for plaintiff's complaints about jail conditions.

Plaintiff asks for monetary relief from both defendants.<sup>1</sup>

Prior to ruling on the motion to dismiss, the Court would like additional information from the parties with respect to plaintiff's allegation that defendant Heard took away his legal work, and that plaintiff was then harmed. Specifically, the parties should address how plaintiff was harmed by this action. Accordingly,

IT IS, THEREFORE, ORDERED that the parties shall file additional information concerning how plaintiff was harmed by the confiscation of his legal materials, within fifteen days of the date of this Order.

IT IS SO ORDERED this 4<sup>th</sup> day of November, 2009.

  
United States Magistrate Judge

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Plaintiff also has named as defendants several jailers at the Detention Center, claiming they violated his First Amendment right by serving him pork products despite his religious non-pork dietary requirements.