

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

FREDDIE HARVELL

PLAINTIFF

v.

2:10CV000123-WRW

**PHILLIPS COUNTY, ARKANSAS
SHERIFF'S DEPARTMENT, *et al.***

DEFENDANTS

ORDER

Pending is a Motion to Dismiss Phillips County Sheriff's Department as a defendant in this case (Doc. No. 3). Because Phillips County Sheriff's Department is not a legal entity subject to suit,¹ the motion is GRANTED. Phillips County Sheriff's Department is DISMISSED; however, the Clerk of the Court is directed to change the docket sheet to reflect that "Phillips County, Arkansas" is a defendant in this case.²

IT IS SO ORDERED this 2nd day of November, 2010.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹*Dean v. Barber*, 951 F.2d 1210, 1214 (11th Cir. 1992) (holding that police and sheriff's departments are not usually considered legal entities subject to suit).

²*See* Fed. R. Civ. P. 21.