

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

KENNETH GARRISON, JR. and  
 BRANDI GARRISON

Plaintiffs

V.

RONNIE WHITE, individually and in  
 his official capacity as Sheriff of Phillips  
 County, and JOHN DOES 1 and 2,  
 individually

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NO: 2:11CV00061 SWW

**ORDER**

Plaintiffs filed this action under 28 U.S.C. § 1983, alleging among other things that Defendants deprived them of liberty without due process. Before the Court is the parties' joint motion to dismiss. The parties advise the Court that they have entered a settlement agreement, which requires that Plaintiffs' claims against Defendant White be dismissed with prejudice.

The parties' motion does not reference John Does 1 and 2, who were named as defendants but never identified or served. Pursuant to Federal Rule of Civil Procedure 4(m),<sup>1</sup> Plaintiffs are hereby notified that the Court will dismiss all claims against the John Doe

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<sup>1</sup>Federal Rule of Civil Procedure 4(m) provides:

If service of the summons and complaint is not made within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

defendants, without prejudice, unless otherwise advised. Plaintiffs have up to and including five days from the entry of this order in which to object to the Court's proposed course of action.

IT IS SO ORDERED THIS 4<sup>th</sup> DAY OF OCTOBER, 2011.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE