

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

**MARCUS D. EVANS  
ADC #109369**

**PLAINTIFF**

**v.**

**No. 2:11-cv-235-DPM**

**SHANTA HARDY; AVERY COX;  
BRYANT BARDEN; DERRICK MULLINS;  
SHIRLEY MCDANIEL; FARON CLEMMONS;  
MOSES JACKSON, III; and JOANN GRAY**

**DEFENDANTS**

**JUDGMENT**

Marcus Evans's excessive force, deliberate indifference, and failure to protect claims were tried to a twelve-person jury from 7 April to 11 April 2014. After deliberations, on April 11th the jury returned unanimous verdicts in favor of Shanta Hardy, Avery Cox, Bryant Barden, Derrick Mullins, Shirley McDaniel, and Joann Gray on all Evans's claims against each of them. The jury also returned unanimous verdicts for Evans and against Faron Clemmons and against Moses Jackson, III. The jury awarded \$1,000.00 in compensatory damages, and \$10,000.00 in punitive damages, to Evans against Clemmons on the excessive force and deliberate indifference claims against him. The jury awarded \$500.00 in compensatory damages, and \$8,000.00 in punitive damages, to Evans against Jackson on the deliberate indifference claim against him.

No party requested a poll of the jury. The verdicts, which consist of the jury's answers to eight sets of questions, are attached and incorporated. The Court enters judgment for Evans against Clemmons for \$11,000.00, and for Evans against Jackson for \$8,500.00, for postjudgment interest as provided by law, and for costs as the Court may later allow. Postjudgment interest will accrue at 0.10% per annum from this Order's date until the judgment is paid. 28 U.S.C. § 1961(a)-(b).

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

14 April 2014

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

APR 11 2014

**VERDICT NO. 1**

JAMES W. MCCORMACK, CLERK  
By: *[Signature]*  
DEP. CLERK

1. On Marcus Evans's excessive force claim against Shanta Hardy, as submitted in Instruction No. 9, we find for:

\_\_\_\_\_ Marcus Evans

\_\_\_\_\_ Shanta Hardy

**If you found for Evans on Question 1, then answer Question 2. If you found for Hardy on Question 1, your deliberations on Hardy are done. Do not answer Question 2 or Question 3.**

2. We find Marcus Evans's damages to be \$ \_\_\_\_\_  
(state the amount, or if you find that Evans's damages have no monetary value, put \$1.00).

**If you found for Evans on Question 1, and awarded Evans compensatory damages on Question 2, then answer Question 3.**

3. We assess punitive damages against Shanta Hardy of \$ \_\_\_\_\_ (state the amount, or, if none, write the word "none").

*[Signature]*  
\_\_\_\_\_  
Foreperson

4-11-2014  
Date

**VERDICT NO. 2**

1. On Marcus Evans's excessive force claim against Avery Cox, as submitted in Instruction No. 9, we find for:

\_\_\_\_\_ Marcus Evans

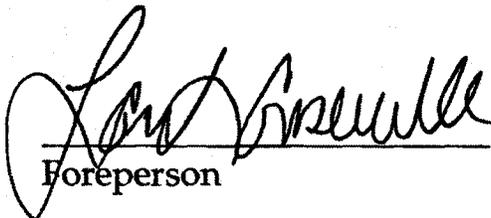
✓ \_\_\_\_\_ Avery Cox

**If you found for Evans on Question 1, then answer Question 2. If you found for Cox on Question 1, your deliberations on Cox are done. Do not answer Question 2 or Question 3.**

2. We find Marcus Evans's damages to be \$ \_\_\_\_\_  
(state the amount, or if you find that Evans's damages have no monetary value, put \$1.00).

**If you found for Evans on Question 1, and awarded Evans compensatory damages on Question 2, then answer Question 3.**

3. We assess punitive damages against Avery Cox of \$ \_\_\_\_\_  
(state the amount, or, if none, write the word "none").

  
\_\_\_\_\_  
Foreperson

4-11-2014  
Date

**VERDICT NO. 3**

1. On Marcus Evans's excessive force claim against Bryant Barden, as submitted in Instruction No. 9, we find for:

\_\_\_\_\_ Marcus Evans                      ✓ \_\_\_\_\_ Bryant Barden

**If you found for Evans on Question 1, then answer Question 2. If you found for Barden on Question 1, your deliberations on Barden are done. Do not answer Question 2 or Question 3.**

2. We find Marcus Evans's damages to be \$ \_\_\_\_\_  
(state the amount, or if you find that Evans's damages have no monetary value, put \$1.00).

**If you found for Evans on Question 1, and awarded Evans compensatory damages on Question 2, then answer Question 3.**

3. We assess punitive damages against Bryant Barden of \$ \_\_\_\_\_ (state the amount, or, if none, write the word "none").

  
\_\_\_\_\_  
Foreperson

4-11-2014  
Date

**VERDICT NO. 4**

1. On Marcus Evans's excessive force claim against Derrick Mullins, as submitted in Instruction No. 9, we find for:

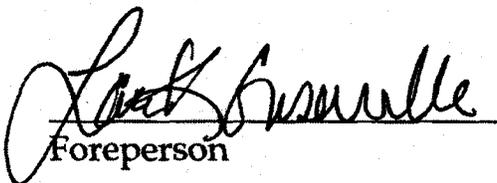
\_\_\_\_\_ Marcus Evans                      ✓ \_\_\_\_\_ Derrick Mullins

**If you found for Evans on Question 1, then answer Question 2. If you found for Mullins on Question 1, your deliberations on Mullins are done. Do not answer Question 2 or Question 3.**

2. We find Marcus Evans's damages to be \$ \_\_\_\_\_  
(state the amount, or if you find that Evans's damages have no monetary value, put \$1.00).

**If you found for Evans on Question 1, and awarded Evans compensatory damages on Question 2, then answer Question 3.**

3. We assess punitive damages against Derrick Mullins of \$ \_\_\_\_\_ (state the amount, or, if none, write the word "none").

  
Foreperson

4-11-2014  
Date

**VERDICT NO. 5**

1. On Marcus Evans's failure to protect claim against Shirley McDaniel, as submitted in Instruction No. 10A, we find for:

\_\_\_\_\_ Marcus Evans

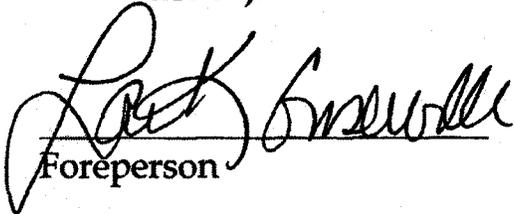
\_\_\_\_\_  Shirley McDaniel

**If you found for Evans on Question 1, then answer Question 2. If you found for McDaniel on Question 1, your deliberations on McDaniel are done. Do not answer Question 2 or Question 3.**

2. We find Marcus Evans's damages to be \$ \_\_\_\_\_  
(state the amount, or if you find that Evans's damages have no monetary value, put \$1.00).

**If you found for Evans on Question 1, and awarded Evans compensatory damages on Question 2, then answer Question 3.**

3. We assess punitive damages against Shirley McDaniel of \$ \_\_\_\_\_ (state the amount, or, if none, write the word "none").

  
Foreperson

\_\_\_\_\_ 4-11-2014  
Date

**VERDICT NO. 6**

1. On Marcus Evans's excessive force claim against Faron Clemmons, as submitted in Instruction No. 9, we find for:

         Marcus Evans                               Faron Clemmons

2. On Marcus Evans's deliberate indifference claim against Faron Clemmons, as submitted in Instruction No. 11, we find for:

         Marcus Evans                               Faron Clemmons

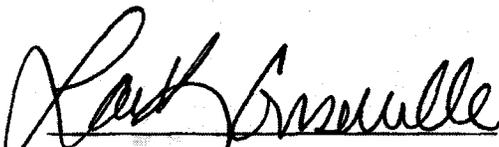
**If you found for Evans on Question 1 or Question 2, then answer Question**

3. **If you found for Clemmons on Question 1 and Question 2, your deliberations on Clemmons are done. Do not answer Question 3 or Question 4.**

3. We find Marcus Evans's damages to be \$ 1,000.00  
(state the amount, or if you find that Evans's damages have no monetary value, put \$1.00).

**If you found for Evans on Question 1 or Question 2, and awarded Evans compensatory damages on Question 3, then answer Question 4.**

4. We assess punitive damages against Faron Clemmons of \$ 10,000 (state the amount, or, if none, write the word "none").

  
Foreperson

4-11-2014  
Date

**VERDICT NO. 7**

1. On Marcus Evans's failure to protect claim against Joann Gray, as submitted in Instruction No. 10, we find for:

\_\_\_\_\_ Marcus Evans      ✓ \_\_\_\_\_ Joann Gray

If you found for Evans on Question 1, then answer Question 2. If you found for Gray on Question 1, your deliberations on Gray are done. Do not answer Question 2 or Question 3.

2. We find Marcus Evans's damages to be \$ \_\_\_\_\_  
(state the amount, or if you find that Evans's damages have no monetary value, put \$1.00).

If you found for Evans on Question 1, and awarded Evans compensatory damages on Question 2, then answer Question 3.

3. We assess punitive damages against Joann Gray of \$ \_\_\_\_\_ (state the amount or, if none, write the word "none").

Paul Brumwell  
Foreperson

4-11-2014  
Date

**VERDICT NO. 8**

1. On Marcus Evans's deliberate indifference claim against Moses Jackson, III, as submitted in Instruction No. 11, we find for:

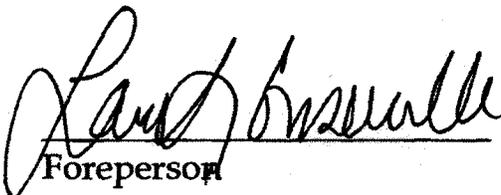
Marcus Evans                      \_\_\_\_\_ Moses Jackson, III

**If you found for Evans on Question 1, then answer Question 2. If you found for Jackson on Question 1, your deliberations on Jackson are done. Do not answer Question 2 or Question 3.**

2. We find Marcus Evans's damages to be \$ 500.00  
(state the amount, or if you find that Evans's damages have no monetary value, put \$1.00).

**If you found for Evans on Question 1, and awarded Evans compensatory damages on Question 2, then answer Question 3.**

3. We assess punitive damages against Moses Jackson, III of \$ 8,000 (state the amount or, if none, write the word "none").

  
Foreperson

4-11-2014  
Date