

**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; MOORE;  
BRYANT BARDEN; DAVID RICHARDSON;  
KENNETH CARLOCK; DERRICK MULLINS;  
SHIRLEY MCDANIEL; FARON CLEMMONS;  
MOSES JACKSON, III; JANICE GRAY; and  
JOANN GRAY**

**DEFENDANTS**

**ORDER**

Evans's motion for fees and costs, *No. 158*, is granted as modified. Evans seeks attorney's fees for the full statutory amount of \$29,250.00 and costs in the amount of \$966.71. The State doesn't oppose the costs, or Evans's method for calculating fees. It does, however, contend that the fees should be calculated based on the reduced damages amount. *No. 168*. The Court agrees, and uses the reduced amount of damages—\$15,500.00—to calculate the fees. Having reviewed the time expended and considering the results obtained, the Court awards Evans \$23,250.00 in attorney's fees and \$966.71 in costs. 42 U.S.C. § 1997e(d); 42 U.S.C. § 1988(b); *Fires v. Heber Springs School District*, 2014 WL 2441955, at \*1-2 (8th Cir. 2 June 2014) (*per curiam*).

So Ordered.

*D.P. Marshall*

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D.P. Marshall Jr.  
United States District Judge

*31 July 2014*

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