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

DONTEL THOMAS and DALTON JACKSON, on behalf of Themselves and all Others Similarly Situated

PLAINTIFFS

v.

No. 2:15-cv-95-DPM

NEAL BYRD, in his Official Capacity; JOHN
THOMAS, individually and in his official
capacity as an employee of City of Helena-West Helena;
and SENTENCING OPTIONS SPECIALISTS, INC.

DEFENDANTS

ORDER

Sentencing Options Specialist's motion to dismiss, № 24, is denied. Thomas and Jackson have pleaded enough facts in the amended complaint to make it plausible that Thomas acted as SOS's agent and that this private entity was so intertwined with the City of Helena-West Helena that SOS is susceptible to federal civil rights claims. *Ashcroft v. Iqbal*, 556 U.S. 662, 678–79 (2009); *Adams v. Boy Scouts of America-Chickasaw Council*, 271 F.3d 769, 777–78 (8th Cir. 2001).

So Ordered.

D.P. Marshall Jr.

United States District Judge

4 April 2016