

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

CLINTON JONES

PLAINTIFF

v.

No. 3:11-cv-199-DPM

**DOUG FORMAN, Sergeant,
Jonesboro Police Department; and
JERRICO PERKINS, Maintenance Department,
City of Jonesboro**

DEFENDANTS

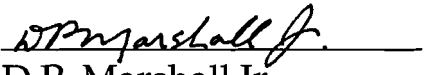
ORDER

Jones's complaint is dismissed for want of subject-matter jurisdiction.

The pedestrian/vehicle accident in the Jonesboro City Cemetery does not present a federal question. *E.g., Russell v. Hennepin County*, 420 F.3d 841, 846 (8th Cir. 2005). And because the driver and the pedestrian are both Arkansas residents, no diversity of citizenship exists. 28 U.S.C. § 1332(a). Jones alleges that Jonesboro police officer Doug Forman did a shoddy investigation, *Document No. 1, at 7*, and thereby deprived Jones of his constitutional rights to equal protection of the laws and due process, *Document No. 8, at 2–3*. This constitutional allegation, even supplemented by the Jones's statements against dismissal, is too thin on supporting facts to survive the motion to

dismiss. The Court agrees, all material things considered, that this dispute belongs in state court. Motion to dismiss, *Document No. 4*, granted. Motion to appoint counsel, *Document No. 10*, denied as moot.

So Ordered.


D.P. Marshall Jr.
United States District Judge

23 January 2012