

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

FRED SMITH, State Representative

PLAINTIFF

v.

No. 3:13CV00050 JLH

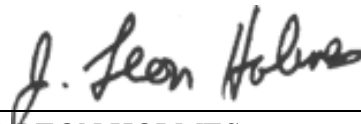
STATE OF ARKANSAS; THOMAS D. DEEN;
PAM STEPHENSON; APRIL CANTRELL;
RICK G. MCKELVEY; BARRY E. ROY;
MIKE MIDDLETON; ARKANSAS STATE
POLICE; DERMOTT SCHOOL DISTRICT;
J. BIGHAM, Deputy Sheriff; and DESOTO
COUNTY SHERIFF DEPARTMENT

DEFENDANTS

ORDER

On July 26, 2013, Pam Stephenson filed a motion to dismiss the complaint against her on the basis that venue does not lie in the Jonesboro Division and because she was not properly served with summons and complaint. The plaintiff, Fred Smith, has not responded. From a review of the motion and brief, it appears that Stephenson was not properly served with summons and complaint as required by the Federal Rules of Civil Procedure. Therefore, her motion to dismiss is GRANTED. Document #16. Fred Smith's complaint is dismissed without prejudice as to Pam Stephenson.

IT IS SO ORDERED this 21st day of August, 2013.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE