

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

GREGORY ROSE

PLAINTIFF

v.

NO. 3:14CV00034 JLH

CITY OF OSCEOLA, *et al.*

DEFENDANTS

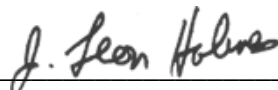
ORDER

Plaintiff Gregory Rose, an inmate at the Mississippi County Detention Facility, filed this lawsuit *pro se* under 42 U.S.C. § 1983. Because Rose's complaint was deficient, the Court provided Rose thirty days to amend his complaint to remedy the defects identified by the Court. Document #5. Although Rose filed a response to the Court's order, he has not stated a constitutional claim. Document #8.

First, general claims of harassment are not actionable under § 1983. *McDowell v. Jones*, 990 F.2d 433, 434 (8th Cir. 1993). Further, Rose may not pursue his claim that he was falsely arrested under § 1983 until the conviction or sentence has been reversed, expunged, declared invalid, or called into question by a federal habeas action. *Heck v. Humphrey*, 512 U.S. 477 (1994). Finally, it is well settled that judges are entitled to absolute immunity from suit for actions taken in their judicial capacity. *Martin v. Hendren*, 127 F.3d 720, 721 (8th Cir. 1997); *Brown v. Griesenauer*, 970 F.2d 431, 435 (8th Cir.1992).

Rose's claims are DISMISSED, without prejudice.

IT IS SO ORDERED this 6th day of May, 2014.



UNITED STATES DISTRICT JUDGE