

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

MARK E. COPELAND

PLAINTIFF

v.

No. 3:14-cv-177-DPM

JOHN THROESCH

DEFENDANT

ORDER

1. Copeland moves to proceed *in forma pauperis*. *No 1*. Copeland has many dependants and his utility bills account for nearly his entire income. He cannot afford to pay the filing fee and service fees. Copeland's *IFP* request is therefore granted.

2. The Court must screen Copeland's complaint before ordering service. 28 U.S.C. § 1915(e)(2)(B). Copeland says Judge Throesch violated his constitutional rights by denying him the right to a jury trial. *No 2 at 2*. He seeks a jury trial, removal of Judge Throesch, and reimbursement for removal expenses. To the extent Copeland disagrees with the rulings of Judge Throesch, the proper avenue for relief is an appeal, not a new lawsuit. *Butz v. Economou*, 438 U.S. 478, 508-509 (1978). Judges are absolutely immune from suit for acts within their judicial capacity. *Butz*, 438 U.S. at 508. Copeland's claims against Judge Throesch fail as a matter of law.

So Ordered.

*D.P. Marshall Jr.*

D.P. Marshall Jr.  
United States District Judge

*28 July 2014*