

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

**MARQUIS PRATCHER
ADC #149663**

PLAINTIFF

v. No. 3:15-cv-53 DPM-JTR

**MISSISSIPPI COUNTY DETENTION
CENTER; CHRIS STANKEWICZ, Nurse,
Mississippi County Detention Center;
LUTHER WHITFIELD, Lieutenant,
Mississippi County Detention Center; and
STEPANUK, Doctor, Mississippi County
Detention Center**

DEFENDANTS

ORDER

1. Pratcher has filed this *pro se* § 1983 action alleging that defendants violated his constitutional rights. *No* 2. The Court must screen Pratcher's complaint. 28 U.S.C. § 1915A.

2. Pratcher's claims against the Mississippi County Detention Center are dismissed with prejudice because jails are not proper defendants in a § 1983 action. *Owens v. Scott County Jail*, 328 F.3d 1026, 1027 (8th Cir. 2003).

3. Pratcher's claims against Stankewicz, Whitfield, and Stepanuk in their official capacities are actually claims against Mississippi County. *Parrish v. Ball*, 594 F.3d 993, 997 (8th Cir. 2010). Pratcher does not allege that his constitutional rights were violated pursuant to a Mississippi County policy,

practice, or custom. *Jenkins v. County of Hennepin, Minnesota*, 557 F.3d 628, 632 (8th Cir. 2009). His official capacity claims are therefore dismissed without prejudice.

4. Pratcher has pleaded a plausible § 1983 inadequate medical care claim and state law medical malpractice claim against Stankewicz and Stepanuk, in their individual capacities, for allegedly failing to properly treat his high blood pressure. Pratcher has also pleaded a plausible § 1983 claim that Whitfield, in his individual capacity, failed to take corrective action after learning about the improper medical care Pratcher was receiving.

The Clerk is directed to prepare a summons for Stankewicz, Stepanuk, and Whitfield. The U.S. Marshal is directed to serve the summons, complaint, and this Order on them without prepayment of fees and costs or security. If any of the defendants are no longer county employees, the individual responding to service must file the unserved defendant's last known private mailing address under seal.

5. It is certified that an *in forma pauperis* appeal from this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

11 May 2015