

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

DONALD HAVENS

PLAINTIFFS

V.

3:15CV00380 DPM/JTR

LARRY MILLS,
Sheriff of Poinsett County; and
PHILLIS CRAFT, Cook,
Poinsett County Detention Center

DEFENDANTS

ORDER

Plaintiff Donald Havens has filed a *pro se* § 1983 Substituted Complaint and an Amended Substituted Complaint alleging that Defendants violated his constitutional rights while he was a pretrial detainee in the Poinsett County Detention Center.

The Prison Litigation Reform Act requires federal courts to screen prisoner complaints seeking relief against a governmental entity, officer, or employee. 28 U.S.C. § 1915A(a). The Court must dismiss a complaint or a portion thereof if the prisoner has raised claims that: (a) are legally frivolous or malicious; (b) fail to state a claim upon which relief may be granted; or (c) seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b). When making this determination, a court must accept the truth of the factual allegations contained in the complaint, and it may consider the documents attached to the complaint. *Ashcroft v.*

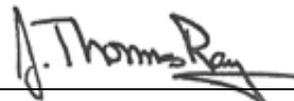
Iqbal, 556 U.S. 662, 678 (2009); *Reynolds v. Dormire*, 636 F.3d 976, 979 (8th Cir. 2011).

Construing the allegations liberally, it appears that Plaintiff is alleging that Defendant Sheriff Larry Mills and Cook Phillis Craft had a practice of providing him, and other pretrial detainees at the Poinsett County Detention Center, with nutritionally inadequate meals. *Docs. 14 & 16*. As a result, Plaintiff allegedly lost 15 pounds. *Id.* The Court concludes, *for screening purposes only*, that Plaintiff has pled a plausible Eighth Amendment claim against Defendants Mills and Craft. Thus, they should be served.

IT IS THEREFORE ORDERED THAT:

1. The Clerk is directed to prepare a summons for Defendants Mills and Craft.
2. The U.S. Marshal is directed to serve the summons, Substituted Complaint, Amended Substituted Complaint, and this Order on them without prepayment of fees and costs or security therefore.

Dated this 7th day of March, 2016.



UNITED STATES MAGISTRATE JUDGE