

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

DONALD HAVENS

PLAINTIFF

v.

No. 3:15-cv-384-DPM

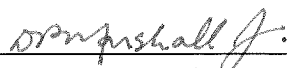
JIMMY GAZAWAY,
Prosecuting Attorney, Poinsett County

DEFENDANT

ORDER

Havens brings this § 1983 action alleging that Prosecuting Attorney Jimmy Gazaway committed perjury by inaccurately describing Havens as a flight risk during a bond hearing. *No 2 at 4*. But prosecutors enjoy absolute immunity from civil liability under § 1983 when they're performing prosecutorial functions "intimately associated with the judicial process." *Anderson v. Larson*, 327 F.3d 762, 768 (8th Cir. 2003). Gazaway thus has immunity; and Havens's complaint will be dismissed without prejudice for failure to state a claim.

So Ordered.



D.P. Marshall Jr.
United States District Judge



4 March 2016