

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

FREDERICK SMITH

PLAINTIFF

v.

No. 3:16-cv-89-DPM

U.S. DEPARTMENT OF EDUCATION;
BRIAN BEERS, Special Agent; and PHILLIP
CARTER, Former City Council Member

DEFENDANTS

ORDER

In late September, I entered an order restricting Smith's filings in this case and all his closed cases. *No. 14*. An earlier order listed Smith's cases as of May 2016 and cautioned him about continued filings on issues already addressed. *No. 3*. Smith's closed cases are noted in the margin.* When the Clerk receives papers from a restricted filer, they're sent to a judge for screening – the judge who restricted the party's filings. During the last two weeks, the Clerk has received many papers from Smith. They've come to me

* *Smith v. West Memphis School District et al.*, 3:12-cv-214-BRW; *Smith v. State of Arkansas et al.*, 3:13-cv-50-JLH; *Smith v. Democratic Party of Arkansas et al.*, 3:14-cv-254-DPM; *Smith v. Arkansas Board of Election Commissioners et al.*, 3:15-cv-402-JM; *Smith v. McKelvey et al.*, 3:16-cv-10-DPM; *Smith v. Democratic Party of Arkansas et al.*, 3:16-cv-68-DPM; *Smith v. McGowan*, 3:16-cv-80-DPM; *Smith v. Secretary of State*, 3:16-cv-81-DPM; *Smith v. U.S. Department of Education et al.*, 3:16-cv-89-DPM; *Smith v. Desoto County Sheriff Department et al.*, 3:16-cv-163-DPM; and *Smith v. Arkansas Board of Election Commissioners*, 4:15-cv-521-JM.

for review. Among those papers is a proposed lawsuit against me. I therefore recuse. 28 U.S.C. § 455(a) & (b)(5)(i). The Clerk must draw, at random, another judge to screen all of Smith's current and future proposed filings, as well as to handle any matter in any of Smith's closed cases that were assigned to me.

So Ordered.

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

8 December 2016