

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

**ETHEL JACOBS, by and through her
son and next friend Louis Welch**

PLAINTIFF

v.

No. 3:16-cv-119-DPM

**CINDY GILLESPIE, in her official
capacity as Director, Arkansas
Department of Human Services**

DEFENDANT

JUDGMENT

1. The Court held a combined bench trial on the merits and final hearing on the request for injunctive relief on October 26-28, 2016 in Helena. For the reasons stated from the bench at the end of the combined proceeding, the Court enters this Judgment on Ethel Jacobs's claims under the Due Process Clause and the Medicaid Act.

2. Cindy Gillespie, the Director of the Arkansas Department of Human Services, prevailed on Jacobs's ascertainable-standards claims; and those claims are dismissed with prejudice. Jacobs prevailed on her notice claims; and the Court enters judgment for Jacobs and against Director Gillespie, in her official capacity, on those claims. The Court has also entered a companion permanent injunction against Director Gillespie to grant complete relief to

Jacobs on the notice claims. Jacobs's hearing-related claims are dismissed without prejudice.

3. As the prevailing party, Jacobs is entitled to a reasonable attorney's fee and costs as allowed by law. FED. R. CIV. P. 54(d)(1); 28 U.S.C. § 1920. Any fee/costs motion is due by 18 November 2016.

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

1 November 2016