

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

ERIK WILLIAMS

PLAINTIFF

v.

No. 3:16-cv-351-DPM

M. MCKEE, Officer, West Memphis
Police Department; W. BELL, Officer,
West Memphis Police Department;
T. BRUCEY, Officer, West Memphis
Police Department; A.D. WILLIAMS,
Officer, West Memphis Police Department;
C. GROSS, Officer, West Memphis Police
Department; S. JACKSON, Officer, West
Memphis Police Department; C. ROSE,
Officer, West Memphis Police Department

DEFENDANTS

ORDER

1. The Court must screen Williams's amended complaint. 28 U.S.C. § 1915A. Williams appears to be in jail awaiting trial on criminal charges. He says that certain West Memphis police officers used excessive force against him. He also claims that the charges pending against him are invalid because the police officers were outside their jurisdiction when he was arrested.

2. The Court must abstain from proceeding with Williams's challenge to the charges pending against him while the criminal case is ongoing. Arkansas has an important interest in enforcing its criminal laws; and

Williams may raise his constitutional claims during his state criminal proceedings. *Younger v. Harris*, 401 U.S. 37, 43-45 (1971). Further, there's no indication of bad faith, harassment, or any other extraordinary circumstances that would make abstention inappropriate. *Tony Alamo Christian Ministries v. Selig*, 664 F.3d 1245, 1254 (8th Cir. 2012). Williams's challenge of the charges pending against him must, therefore, be put on hold until there's a final disposition of those charges. *Wallace v. Kato*, 549 U.S. 384, 393-94 (2007); *Yamaha Motor Corporation, U.S.A. v. Stroud*, 179 F.3d 598, 603-04 (8th Cir. 1999).

3. Williams's excessive force claim is also stayed pending resolution of the state court proceedings. Efficient judicial administration favors handling all his claims at once rather than piecemeal. *Cf. Colorado River Water Conservation District v. United States*, 424 U.S. 800, 817 (1976).

* * *

This case is stayed. Williams can move to reopen this case after final disposition of his state case, including any appeal. Any motion to reopen must be filed within sixty days of that final disposition. If Williams doesn't file a timely motion to reopen or a status report by 3 March 2018, then the Court will reopen the case and dismiss it without prejudice.

So Ordered.

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

3 March 2017