

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

SETH MONROE

PLAINTIFF

v.

No. 3:17-cv-74-DPM

ARKANSAS, State of; DOES, Arresting
and Booking Officers, Craighead County Jail;
FRANK JEFF, Officer, Craighead County Sheriff's
Department; AVERY BURNETT, Officer, CCSD;
JAMES TEAGUE, Officer, CCSD; MIKE LAWRENCE,
Officer, CCSD; SEAN CALAVAY, Officer, CCSD;
and CASEY FOSTER, Officer, CCSD

DEFENDANTS

ORDER

1. This is designated as a 550 case—one filed by a prisoner about something besides his conditions of confinement. But Monroe is a patient at the Arkansas State Hospital, not a prisoner. *Monroe v. Brusseux*, 4:17-cv-98-JLH-BD, No 4. The Court therefore directs the Clerk to redesignate this case as a 440 civil rights case.

2. Monroe can't afford the filing fee; and he is not subject to the PLRA's payment requirements. *Kolocotronis v. Morgan*, 247 F.3d 726, 728 (8th Cir. 2001). His motion for leave to proceed *in forma pauperis*, No 5, is therefore granted.

3. Because Monroe is proceeding *in forma pauperis*, the Court may dismiss his complaint at any time if it is frivolous, malicious, or fails to state a claim. 28 U.S.C. § 1915(e)(2)(B). Monroe says officers used excessive force against him. *No 1 & 6*. And his amended complaint lists several Craighead County Sheriff's Department Officers as new defendants. Construed liberally, though, Monroe's complaint and amended complaint don't connect the named defendants to the alleged wrongdoing. Monroe's description of the alleged excessive force doesn't name any of the defendants; so it remains unclear how and when each defendant allegedly violated his rights. *No 1 & 6*. Monroe must file a second amended complaint that explains who did what.

Second amended complaint due by 5 July 2017. If Monroe does not clear up his allegations by then, the Court will dismiss his case without prejudice. LOCAL RULE 5.5(c)(2).

So Ordered.

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

5 June 2017