

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

JONATHAN WARE

PLAINTIFF

CASE NO. 3:17-CV-109-JM

RON HUNTER, et al.

DEFENDANTS

ORDER OF DISMISSAL

Jonathan Ware, an inmate at the Poinsett County Detention Center, filed this lawsuit without the help of a lawyer under 42 U.S.C. § 1983. (Docket entry #2) In his complaint, Mr. Ware alleges that he has been improperly held because of an excessive bond requirement set in his state-court criminal case. He requests that his bond be reduced and that he be awarded damages for the time that he has been held on an excessive bail. Mr. Ware cannot proceed on his claims at this time.

“The proper means to challenge a bail decision is by a writ of certiorari, and a party who does not seek a timely writ of certiorari from a bail decision abandons the issue.” *Irvin v. State*, 345 Ark. 541, 49 S.W.3d 635 (2001). Furthermore, Mr. Ware’s state criminal case is ongoing. The State of Arkansas has an important interest in enforcing its criminal laws, and Mr. Ware may raise this claim during his state criminal proceedings. *Younger v. Harris*, 401 U.S. 37, 43-45 (1971). There is no indication of any extraordinary circumstances that would make abstention inappropriate. *Tony Alamo Christian Ministries v. Selig*, 664 F.3d 1245, 1254 (8th Cir. 2012).

Therefore, Mr. Ware's claims are DISMISSED, without prejudice. The Clerk is directed to close this case.

IT IS SO ORDERED, this 17th day of May, 2017.



UNITED STATES DISTRICT JUDGE