

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

MICAH ANGEL

PLAINTIFF

v.

No. 3:17-cv-133-DPM

JONESBORO POLICE DEPARTMENT

DEFENDANT

ORDER

1. Angel's motion to proceed *in forma pauperis*, No 1, is granted. She has no income, few assets, a dependent child, and the usual expenses. She can't afford the filing fee.

2. The Court must screen Angel's complaint, No 2, before ordering service and sending the case forward. 28 U.S.C. § 1915(e)(2). The Court dismissed Angel's previous complaint against the Jonesboro Police Department for failure to state a claim. No. 3:16-cv-203-DPM. It appears that Angel is asking, in this new case, for her first case to go forward. The answer to that question is no. The Court has already decided that the matters Angel challenged before didn't state a legal claim. No 11 in No. 3:16-cv-203-DPM. That decision stands and bars relitigation of that issue. *Germain Real Estate Co., LLC v. HCH Toyota, LLC*, 778 F.3d 692, 696 (8th Cir. 2015) (relying on RESTATEMENT (SECOND) OF JUDGMENTS § 13). If Angel wants to challenge

some new actions by JPD officers,* she must file an amended complaint giving particulars – naming the officers, explaining what they did, and listing law that was supposedly violated. Any amended complaint due by 3 July 2017. If Angel doesn't amend her complaint by that deadline, the Court will dismiss this case without prejudice.

So Ordered.

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

5 June 2017

*JPD itself can't be sued. *E.g., Ketchum v. City of West Memphis, Arkansas*, 974 F.2d 81, 82-84 (8th Cir. 1992).