

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

JASON LLOYD PIERCE

PLAINTIFF

V.

3:17CV00268 DPM/JTR

STEVE RORAX, Administrator,
Poinsett County Detention Center, et al.

DEFENDANTS

ORDER

Jason Lloyd Pierce ("Pierce") is confined in the Poinsett County Detention Center ("PCDC"). He has filed a *pro se* § 1983 Complaint and an Amended Complaint alleging that Defendants violated his constitutional rights.

Before Pierce may proceed with this case, the Court must screen his Complaints.¹ Pierce alleges that: (1) on September 23, 2017, Defendant Becky Hitt ("Hitt") denied him adequate medical care for a head injury; (2) on September 26, 2017, Hitt instructed Pierce's cellmate to beat him; and (3) unspecified individuals

¹ The Prison Litigation Reform Act requires federal courts to screen prisoner complaints seeking relief against a governmental entity, officer, or employee. 28 U.S.C. § 1915A(a). The Court must dismiss a complaint or a portion thereof if the prisoner has raised claims that: (a) are legally frivolous or malicious; (b) fail to state a claim upon which relief may be granted; or (c) seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b). When making this determination, a court must accept the truth of the factual allegations contained in the complaint, and it may consider the documents attached to the complaint. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009); *Reynolds v. Dormire*, 636 F.3d 976, 979 (8th Cir. 2011).

denied him any medical care for the injuries he suffered after being beaten by his cellmate. *Docs. 1 & 3.*

The Court needs additional information from Pierce to complete § 1915A screening. Therefore, Pierce must file, within thirty days, a Second Amended Complaint clarifying: (1) how he was harmed by the one hour delay in being taken to the emergency room on September 23, 2017; (2) how he was injured during the September 26, 2017 fight, medical care was needed for those injuries, and how he was harmed by not receiving that medical care; (3) how Defendants Administrator Steve Rorax and Nurse Susan Cox *each* personally participated in *each* constitutional violation; (4) whether he was a pretrial detainee or a convicted prisoner at the time of *each* alleged constitutional violations; (5) why he has sued Defendants in their official capacities; and (6) whether he would like to also sue Defendants in their individual capacities.

IT IS THEREFORE ORDERED THAT Pierce must file, **on or before December 1, 2017**, a Second Amended Complaint containing the information specified in this Order. If he does not timely and properly do so, this case will be dismissed, without prejudice, pursuant to Local Rule 5.5(c)(2).

Dated this 1st day of November, 2017.



UNITED STATES MAGISTRATE JUDGE