

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

DARLENE RODGERS

PLAINTIFF

v.

No. 3:17-cv-291-DPM

TAURA McDANIEL, Attorney Ad Litem;
VAL PRICE, Court Appointed Attorney;
RALPH WILSON, JR., Judge, Second
Judicial Circuit; MIKE GIBSON, Judge;
KATHERINE DEAN, Prosecutor; GRENEDA
JOHNSON, Former DHS Attorney; JEREMY
BLAND, Attorney; BRADLEY LAW FIRM;
DESTERNIE RICHMOND-SULLIVAN,
CASA Association; CHELSEA FIFI, Counsel
at Family Inc. Counseling Services; TONYA
JONES, Case Manager/Supervisor;
SYLVIA WARE, Case Worker; OSCEOLA
POLICE DEPARTMENT; STEFANIE
SMITHEY, Principal; and TYLER
DUNEGAN, City Council

DEFENDANTS

ORDER

I've been studying the filings in this case to make a decision on the pending motions to dismiss. I've learned that Judge Brandon J. Harrison was part of the three-judge panel of the Arkansas Court of Appeals that decided the case about terminating Rodgers's parental rights. *No 7 at 2-5 & No 29 at 41-53*. Rodgers has not sued Judge Harrison. But the core of her case in this Court is that the dependency-

neglect proceedings were wrongfully handled. The Court of Appeals, speaking through Judge Harrison, affirmed the termination of her parental rights. And Rodgers says that the presence of the Court of Appeals' decision on-line is one of the ways in which she has been defamed and harmed. *No 7 at 1*. Judge Harrison and I have been close friends for many years. He's on my recusal list. In these circumstances, my impartiality in addressing Rodgers's claims on the merits could reasonably be questioned. 28 U.S.C. § 455(a). I therefore recuse. The Clerk must reassign this case at random by chip exchange.

So Ordered.

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

16 April 2018