

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION**

MICHAEL BURNS *et al.*

PLAINTIFFS

V.

NO: 4:08CV01836 JLH/HDY

KARL BYRD *et al.*

DEFENDANTS

**ORDER**

Plaintiffs filed a *pro se* complaint pursuant to 42 U.S.C. § 1983, on August 27, 2008 (docket entry #2). On October 29, 2008, the undersigned entered findings and recommendations recommending that the claims of all Plaintiffs except Michael Burns be dismissed without prejudice (docket entry #11). That recommendation is pending at this time.

Construing Plaintiff Burns's complaint liberally, the Court concludes that, for screening purposes, Burns states a cognizable claim for relief against Defendants.

IT IS THEREFORE ORDERED THAT service is appropriate on Defendants, and the United States Marshal is directed to serve a copy of the complaint (docket entry #2), this order, and summons on Defendants, without prepayment of fees and costs or security therefor.<sup>1</sup>

IT IS SO ORDERED this 29 day of October, 2008.



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UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>Burns has been granted leave to proceed *in forma pauperis* (docket entry #4).