

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

CARL JACKSON

PLAINTIFF

v.

CASE NO. 4:09-CV-00257-BSM

**SAFECO NATIONAL INSURANCE
COMPANY; LITTLE ROCK COMMUNITY
MENTAL HEALTH CENTER; KIMBERLY
WILLIAMS, in her official and individual
capacities; PATRINA TABURN, in her official
and individual capacities; TRACY DAVIS, in her
official and individual capacities; B.J. ROBISON,
in his official and individual capacities; DR. GREG
KUCZINSKI, in his official and individual capacities;
ROSA PORTER, in her official and individual
capacities; and TOM GRUNDEN, in his official
and individual capacities**

DEFENDANTS

ORDER

Because the Little Rock Community Mental Health Center (“LRCMHC”) defendants assert that abstention is appropriate, the parties are hereby ordered to brief whether abstention under *Younger v. Harris*, 401 U.S. 37 (1971), is appropriate; whether the *Rooker-Feldman* doctrine is applicable pursuant to *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923), and *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983); and whether this case is barred pursuant to *Heck v. Humphrey*, 512 U.S. 477 (1994). It is noted that the current record leaves many questions unanswered concerning the state court judicial proceedings and Jackson’s status under the Act 911 program. Thus, to fully address the abstention issues, the parties should provide additional details regarding the state court judicial proceedings. The defendants are directed to submit the additional briefing on or

before September 4, 2009, and plaintiff is directed to respond on or before September 15, 2009. Replies, if any, should be submitted by September 21, 2009.

IT IS SO ORDERED THIS 24th day of August, 2009.

A handwritten signature in cursive script, reading "Brian S. Miller".

UNITED STATES DISTRICT JUDGE