

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

EDDY S. HARRIS, SR.

PLAINTIFF

v.

4:10CV01133-WRW

CITY OF LITTLE ROCK, ARKANSAS

DEFENDANT

ORDER

Plaintiff complied with this Court's order of August 26, 2010, by timely filing an Amended Complaint (Doc. No. 5). After carefully reviewing Plaintiff's *pro se* Amended Complaint, I conclude that it should be dismissed.

A court should dismiss a case filed *in forma pauperis* if it determines that the action is frivolous or malicious, or fails to state a claim on which relief may be granted.¹ An action is frivolous if "it lacks an arguable basis either in law or in fact."² "Pro se complaints must be liberally construed and can be dismissed only if the face of the complaint shows an insuperable bar to relief."³

Here, even viewed in the light most favorable to Plaintiff, the Amended Complaint is frivolous and fails to state a claim on which relief may be granted. Plaintiff apparently received a traffic ticket ("contract") from a police officer who, according to Plaintiff, "acted in good faith."⁴ Plaintiff erroneously believes that this ticket constitutes a contract and that he had "the right to reject the offer of contract within a 72 hour period under Regulation Z . . . of the Truth in

¹28 U.S.C. § 1915(e)(2)(B).

²*Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

³*Holt v. Caspari*, 961 F.2d 1370, 1372 (8th Cir.1992).

⁴Doc. No. 5.

Lending Act.”⁵ Plaintiff references a warrant and “suspension (by letter dated 7-20-2010 from Driver Control),” but gives no other facts in support of a claim.⁶ He asks this Court “to order that the warrant (589646) be dropped and all records cleared in this matter.”⁷

Under these facts, I can conceive of no basis for this Court having jurisdiction, or even an arguable claim for relief. Accordingly, this CASE is DISMISSED.

IT IS SO ORDERED this 12th day of October, 2010.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

⁵*Id.*

⁶*Id.*

⁷*Id.*