

**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.<sup>1</sup> An action is frivolous if "it lacks an arguable basis either in law or in fact."<sup>2</sup> "Pro se complaints must be liberally construed and can be dismissed only if the face of the complaint shows an insuperable bar to relief."<sup>3</sup>

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."<sup>4</sup> 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

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<sup>1</sup>28 U.S.C. § 1915(e)(2)(B).

<sup>2</sup>*Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

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

<sup>4</sup>Doc. No. 5.

Lending Act.”<sup>5</sup> 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.<sup>6</sup> He asks this Court “to order that the warrant (589646) be dropped and all records cleared in this matter.”<sup>7</sup>

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 12<sup>th</sup> day of October, 2010.

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

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<sup>5</sup>*Id.*

<sup>6</sup>*Id.*

<sup>7</sup>*Id.*