

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

TODD CHRISTOPHER FASON

PLAINTIFF

v.

4:10-cv-01365-BSM-JTK

BOBBY BROWN, et al.

DEFENDANTS

ORDER

By Order dated September 27, 2010 (Doc. No. 3), this Court granted Plaintiff's application to proceed in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983. However, finding Plaintiff's Complaint too vague and conclusory to enable the Court to determine whether it is frivolous, fails to state a claim, or states a legitimate claim, the Court directed him to submit an Amended Complaint within 30 days. The Court also cautioned Plaintiff that an Amended Complaint would render the Original Complaint without legal effect, and would take the place of his Original Complaint. Plaintiff has now submitted an Amended Complaint (Doc. No. 6). Having reviewed the Amended Complaint, it now appears to the Court that service is appropriate for Defendants Andrews, Stewart, and Bryant, with respect to Plaintiff's Eighth Amendment allegations against them. Accordingly,

IT IS, THEREFORE, ORDERED that service is appropriate for the Defendants Garry Andrews, Garry Stewart, and Ruth Bryant. The Clerk of the Court shall prepare summons for the Defendants and the United States Marshal is hereby directed to serve a copy of the Amended Complaint (Doc. No. 6) and summons on Defendants without prepayment of fees and costs or security therefore.

IT IS SO ORDERED this 24th day of November, 2010

A handwritten signature in black ink, appearing to read 'J. Kearney', written above a horizontal line.

JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE