

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

CEDRIC AUSTIN,
ADC #116669

PLAINTIFF

v.

4:11-cv-00601-SWW-JTK

CARL LYNN JOHNSON, et al.

DEFENDANTS

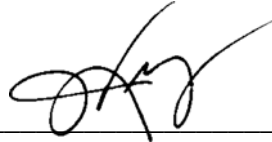
ORDER

By Order dated August 8, 2011 (Doc. No. 3), this Court granted Plaintiff's Motion 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 thirty 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. The Court granted Plaintiff's Motion for Extension of Time in which to submit his Complaint on September 9, 2011 (Doc. No. 6), and Plaintiff has now submitted an Amended Complaint, adding five Defendants (Doc. No. 8). Having reviewed the Amended Complaint, it appears to the Court that service is appropriate for Defendants. Accordingly,

IT IS, THEREFORE, ORDERED that service is appropriate for the Defendants Johnson, Wilson, McGree, Hall, Berry, and Nelson. 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. 8) and summons on these Defendants without prepayment of fees and costs or security therefore.

IT IS FURTHER ORDERED that Plaintiff's Motion to Appoint Counsel (Doc. No. 9) is DENIED without prejudice.

IT IS SO ORDERED this 3rd day of October, 2011.

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

JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE