

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

LUKE SKRABLE

PLAINTIFF

v.

No. 4:15-cv-497-DPM

MARK STODOLA, Little Rock Mayor;
BRUCE T. MOORE, Little Rock City Manager;
TOM CARPENTER, Little Rock City Attorney,
All Individually and in Their Official Capacities

DEFENDANTS

ORDER

1. Skrable's motion to proceed *in forma pauperis*, No 1, is granted. He says that he has several bills to pay and only makes \$400.00 to \$500.00 a month in his business. Considering Skrable's responsibilities and income, he cannot afford to pay the filing fee.

2. The Court must screen Skrable's complaint before ordering service. 28 U.S.C. § 1915(e)(2). Construing the complaint liberally, Skrable makes several claims.

Skrable says that Mayor Mark Stodola violated Skrable's right to free speech. Skrable got a "Yellow Citizen Communication Card," which allowed him three minutes to speak to Little Rock's Mayor and Board of Directors. No 2 at 1. He claims Mayor Stodola sought to adjourn the forum based on a false statement about Skrable, which denied him the right to speak. *Id.* This is a

plausible First Amendment claim.

Skrable also says that Mayor Stodola banned him from all city-owned buildings; plus barred him from contact with city employees. *No 2 at 2*. This is a plausible Fourteenth Amendment and First Amendment claim.

Skrable is upset with Little Rock City Attorney Tom Carpenter's handling of Skrable's complaints against the Mayor and the Board of Directors for allegedly violating the code of ethics. *No 2 at 3*. If Skrable is claiming Carpenter failed to prosecute for these violations, Carpenter is immune from suit. *Brodnicki v. City of Omaha*, 75 F.3d 1261, 1266 (8th Cir. 1996). If Skrable is making some other claim, he hasn't pleaded enough specific facts to show any entitlement to any relief against Carpenter. FED. R. CIV. P. 8(a). Skrable's claims against Carpenter are therefore dismissed without prejudice.

Skrable hasn't stated a claim against Bruce T. Moore. He is therefore dismissed without prejudice.

3. The Court directs the Clerk to prepare summons for Mayor Stodola. The United States Marshal shall serve the summons, the complaint, and this Order on Mayor Stodola without prepayment of fees and costs or security.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

20 August 2015