

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

JASON DEON PALTON,

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Plaintiff,

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vs.

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No. 5:06cv00198 SWW

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STEVEN JACKSON, THOMAS HURST,
GREGG MOORE, ANTONIO REMLEY,
DONALD COMPTON, WILLIE HAMPTON,

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Defendants.

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ORDER

Plaintiff Jason Deon Palton, a state inmate who at the time was on parole, filed this action pursuant to 42 U.S.C. § 1983 alleging Eighth Amendment violations in connection with several sexual assaults committed against him by former Arkansas Department of Correction (ADC) officer Antonio Remley in October and November 2005, while plaintiff was incarcerated at the Varner Supermax Unit (VSM) of the ADC. Remley was terminated by the ADC and later pled guilty to assaulting plaintiff and was himself incarcerated in the ADC. Plaintiff sued Remley for excessive force by sexual assault and he sued ADC employees Deputy Warden Thomas Hurst, Captain Gregg More and Sergeant Steven Jackson for failure to protect plaintiff from Remley's sexual assaults. Plaintiff also sued ADC mental health officials Willie Hampton and Donald Compton for deliberate indifference to his serious mental health needs following Remley's sexual assaults.

The case was tried to a jury during the week of July 13, 2009. On July 16, 2009, the jury returned a verdict for plaintiff on his claim against Remley and Hurst and awarded \$10,000 in

compensatory damages, \$250,000 in punitive damages against Remley (who did not appear at trial and was not represented by counsel) and \$1,000 in punitive damages against Hurst. The Court entered judgment on the jury verdict on July 17, 2009. Hurst subsequently filed a renewed motion for judgment as a matter of law or, in the alternative, partial motion for new trial, which this Court denied by Order entered August 28, 2009 [doc.#238].

Now before the Court is plaintiff's *pro se* application for writ of execution [doc.#251] concerning the punitive damages awarded against Remley (the judgment against Hurst having been satisfied). The Court denies this application without prejudice as plaintiff, who apparently again finds himself incarcerated, is represented by counsel and may file pleadings through him.

IT IS SO ORDERED this 14th day of March 2011.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE