

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

BILLY C. BATEMON

PLAINTIFF

v.

Case No. 5:10-CV-00010 BSM

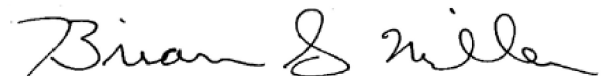
STATE OF ARKANSAS, et al.

DEFENDANTS

ORDER

Plaintiff Billy C. Batemon asks for reconsideration of the February 3, 2010 order adopting the partial report and recommendations of Magistrate Judge H. David Young (Doc. No. 14). Batemon's motion is denied. The dismissal of Batemon's complaint against the state of Arkansas and the Tri-County Drug Task Force was appropriate because these defendants are not "persons" within the meaning of 42 U.S.C. § 1983. They are thus not subject to suit. Further, suit against these parties under Section 1983 is precluded by the Eleventh Amendment to the United States Constitution.

IT IS SO ORDERED this 16th day of February, 2010.



UNITED STATES DISTRICT JUDGE