

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

JAMES EDWARD SMITH,
ADC #103093

PETITIONER

5:10CV00199JMM/JTK

RAY HOBBS

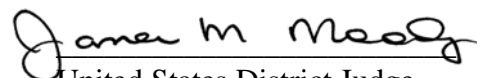
RESPONDENT

ORDER

Plaintiff James Edward Smith has filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against defendants May, Golden, and Straughn, and also has filed an application to proceed in forma pauperis (Doc. No. 1). However, after considering plaintiff's complaint, in which he seeks injunctive relief solely concerning the execution of his sentence by defendants, the Court finds the complaint concerns the fact or length of his sentence.. Therefore, the Court finds that this case should not be designated as a civil rights (555) action, but rather, as a habeas corpus petition, with his present custodian, Ray Hobbs, named as the appropriate respondent. Accordingly,

IT IS, THEREFORE ORDERED that the Clerk is directed to change the designation of this case from 555 to 530, and to designate Ray Hobbs as the Respondent.¹

IT IS SO ORDERED this 26th day of July, 2010.


United States District Judge

1

Defendants Larry May, Darryl Golden and Nancy Straughn shall be terminated from this case.