

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

WAYNE FREDERICK POLAND,
ADC #145512

PLAINTIFF

v.

No. 5:10CV00263 JLH-JTK

DONNY FORD, et al.

DEFENDANTS

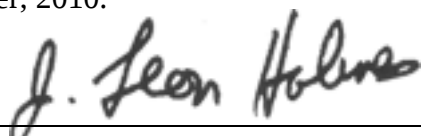
ORDER

Magistrate Judge Jerome T. Kearney has submitted a partial recommended disposition in which he recommends that the Court dismiss the complaint as to defendants Ford and Wheeler on the ground that neither is mentioned by name in the body of the complaint. Plaintiff has objected and stated that he has referred to Ford in the body of the complaint by identifying him as the sheriff of Dallas County. Upon *de novo* review, the Court concludes that the plaintiff should be given an opportunity to amend his complaint so as to allege with sufficient specificity whatever claims he may have against defendants Ford and Wheeler. The Court therefore declines to adopt the partial report and recommended disposition. Document #10.

IT IS HEREBY ORDERED that the plaintiff must file an amended complaint within 30 days from the entry of this Order stating with specificity the facts that support his claims against defendants Ford and Wheeler. If he fails to do so, his complaint may be dismissed as to Ford and Wheeler.

This matter is again referred to Magistrate Judge Jerome T. Kearney for further proceedings consistent with this Order.

IT IS SO ORDERED this 3rd day of November, 2010.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE