

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

MARK EDWARD VANZANT  
ADC #137057

PLAINTIFF

V.

NO: 5:10CV00363 DPM/HDY

L. NORRIS *et al.*

DEFENDANTS

**ORDER**

On April 6, 2011, Plaintiff filed what has been docketed as a motion for reconsideration of the Court’s order denying him appointed counsel (docket entry #37), and objection to a dismissal and motion to amend (docket entry #38). Plaintiff has advanced no reason to cause the undersigned to believe appointed counsel is warranted at this time. Additionally, at this time, no claims or parties have been dismissed from this case.<sup>1</sup> To the extent that Plaintiff seeks to add claims which are unrelated to the alleged excessive force at issue in this matter, the Court concludes that such claims are more appropriate for a separate lawsuit. Finally, Plaintiff’s attempt to sue Defendants in their official capacities for damages is in essence an attempt to sue the State of Arkansas, which is prohibited by the Eleventh Amendment. *Nix v. Norman*, 879 F.2d 429, 431-32 (8th Cir. 1989).

Accordingly, Plaintiff’s motion for reconsideration (docket entry #37), and his motion to amend (docket entry #38), are DENIED.

IT IS SO ORDERED this 12 day of April, 2011.



UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>The Court notes that Plaintiff has four active cases in this District. Claims against several Defendants have been dismissed in one of them. See *Vanzant v. Owen et al.*, ED/AR No. 5:10CV365.