

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

BYRON L. WALLACE,  
ADC #107098

PLAINTIFF

V.

5:13CV00068 JLH/JTR

MARK WARNER,  
Deputy Assistant Warden,  
Cummins Unit, ADC, et al.

DEFENDANTS

**ORDER**

On April 29, 2013, the Court issued an Order: (1) allowing Plaintiff to proceed with his constitutional claims regarding his November 28, 2012 fight with inmate Timothy Davis; and (2) dismissing his remaining claims about his subsequent housing assignments. *See* Doc. #9.

On May 13, 2013, Plaintiff filed a “Notice,” which will be construed as Motion to Amend the Complaint. *See* Doc. #10. In that pleading, Plaintiff alleges that ADC officials are currently housing him with dangerous inmates. *Id.* The Court has already ruled that Plaintiff must pursue any such claims in a separately filed lawsuit. *See* Docs. #5 and #9.

IT IS THEREFORE ORDERED THAT Plaintiff’s Notice (Doc. #10), which has been construed as a Motion for Leave to Amend the Complaint, is DENIED.

Dated this 22nd day of May, 2013.

  
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UNITED STATES MAGISTRATE JUDGE