IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

JERRY WAYNE MILLS   PLAINTIFF

       v.   Civil No. 14-2026

SHERIFF STEVEN SMITH, Logan
County, Arkansas; DAVID SPICER,
Jail Administrator; and LOGAN COUNTY
SHERIFF'S OFFICE   DEFENDANTS

ORDER

Pending before me for decision are the following motions: (1) a motion to supplement the complaint (Doc. 6) filed by the Plaintiff; (2) a motion to dismiss filed by the Defendants (Doc. 10); (3) a motion to supplement filed by the Plaintiff (Doc. 14); and (4) a motion to supplement filed by the Plaintiff (Doc. 15).

Motion to Supplement (Doc. 6)

Plaintiff seeks to add factual detail to his complaint dealing with his assignment to a cell where the top bunk was not properly attached to the wall. The motion (Doc. 6) is granted. The Clerk is directed to file the motion as a supplemental complaint.

Motion to Dismiss (Doc. 10)

Defendants ask that the Logan County Sheriff's Department be dismissed as it is not a person subject to suit. I agree. The Sheriff's Department is a building that cannot be sued. The motion (Doc. 10) is granted. The Clerk is directed to terminate the Logan County Sheriff's Department as a Defendant.

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Motions to Supplement (Docs. 14 & 15)

In these two motions, Plaintiff again seeks to amend his complaint to add factual detail about his claims. The motions (Docs. 14 & 15) are granted. The Clerk is directed to file these motions as a supplement complaint. Plaintiff is advised that he cannot continually amend his complaint to add factual detail. No further amendments or supplements will be allowed without a showing of good cause.

Summary Judgment

The Defendants are directed to file a summary judgment motion by **May 30, 2014.** Once the motion is filed, Plaintiff will be asked to verify his receipt of the motion and notify the Court of how he intends to respond.

IT IS SO ORDERED this 4th day of March 2014.

/s/ *J. Marschewski*
HON. JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE