

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

LUKE BRADLEY FRANCIS PLAINTIFF

v. No. 2:20-CV-2220

DONALD EVERSOLE DEFENDANT

and

LUKE BRADLEY FRANCIS PLAINTIFF

v. No. 2:22-CV-2070

ANDREW McINTOSH, BRANDON
BLOUNT, CITY OF VAN BUREN, and
COUNTY OF CRAWFORD DEFENDANTS

OPINION AND ORDER

Before the Court is Defendant Crawford County's ("the County") motion to dismiss (Doc. 47). Plaintiff Luke Bradley Francis has not filed any response to the County's motion. The motion argues that the County should be dismissed from this case because although it is listed as a party in the caption of the complaint, no allegations are made against the County in the body of the complaint.

The Court has reviewed the complaint, Case No. 2:22-CV-2070, Doc. 1, and agrees with the County. All of Mr. Francis's allegations in the complaint concern his interactions with individuals employed by either the City of Van Buren or the State of Arkansas; no individuals employed by or acting on behalf of the County are mentioned. *See, e.g., id.* at pp. 7–8. Nor does he allege any interactions between himself and County institutions or offices. Assuming all the allegations in Mr. Francis's complaint are true, *see Gallagher v. City of Clayton*, 699 F.3d 1013, 1016 (8th Cir. 2012), it is nevertheless impossible to infer from them that the County is liable for

any of the misconduct described therein, *see Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Because Mr. Francis's complaint fails to state a claim against the County, the County must be dismissed from this case.

IT IS THEREFORE ORDERED that Defendant Crawford County's motion to dismiss (Doc. 47) is GRANTED.

IT IS SO ORDERED this 20th day of December, 2022.

/s/ P. K. Holmes, III

P.K. HOLMES, III
U.S. DISTRICT JUDGE