

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

**DANIEL WADE REYNOLDS, II**

**PLAINTIFF**

**V.**

**CASE NO. 2:24-CV-2108**

**JOHNSON COUNTY; JACOB SHOOK;  
JASON COLE; KENDALL SMITH;  
JOHNSON REGIONAL MEDICAL CENTER;  
and MIKE HELMS**

**DEFENDANTS**

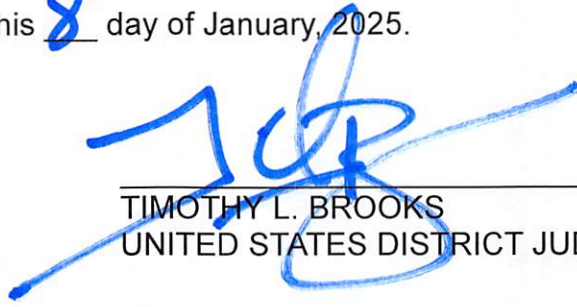
**ORDER**

Today the Court held a Case Management Hearing by videoconference pursuant to Federal Rule of Civil Procedure 16. At the conclusion of the hearing, the Court issued the following **ORDERS** from the bench:

- (1) Defendants Mike Helms and Johnson Regional Medical Center are **DISMISSED WITHOUT PREJUDICE**, *sua sponte*, under Rule 12(b)(6) for the reasons stated at the hearing; and
- (2) the claim styled "Arkansas Tort Law: Negligent Infliction of Emotional Distress" is **DISMISSED WITHOUT PREJUDICE**, *sua sponte*, under Rule 12(b)(6) for the reasons stated at the hearing.

The Clerk of Court is **DIRECTED** not to terminate Defendants Helms and Johnson Regional Medical Center at this time, since it is expected that Plaintiff will file a motion for leave to file an amended complaint (with proposed amended complaint attached as an exhibit) by no later than **JANUARY 21, 2025**. If Plaintiff fails to file such motion by the deadline, the Court will instruct the Clerk to terminate Helms and Johnson Regional Medical Center as parties.

IT IS SO ORDERED on this 8<sup>th</sup> day of January, 2025.



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TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE