

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

DANNY DALE NASWORTHY,	:	
	:	
Plaintiff	:	
	:	
VS.	:	CIVIL ACTION NO. 1:06-CV-143 (WLS)
	:	
BEN HILL COUNTY SHERIFF'S	:	
DEPARTMENT; ALL INSIDE DETAIL	:	
LIEUTENANTS AND SERGEANTS;	:	
ALL CAPTAINS OVERSEEING	:	
INMATES,	:	
	:	PROCEEDINGS UNDER 42 U.S.C. § 1983
Defendants	:	<u>BEFORE THE U.S. MAGISTRATE JUDGE</u>
	:	
	:	<u>ORDER TO SUPPLEMENT COMPLAINT</u>

Plaintiff **DANNY DALE NASWORTHY**, a pre-trial detainee at the Ben Hill County Jail in Fitzgerald, Georgia, has filed a *pro se* civil rights complaint under 42 U.S.C. §1983 accompanied by a motion to proceed without prepayment of the filing fee or security therefor under 28 U.S.C. § 1915(a). Because plaintiff has no assets, his motion to proceed *in forma pauperis* is **GRANTED**.

Upon initial review of plaintiff's complaint, the Court finds that additional information about his contentions is needed before a proper evaluation of his claims and allegations can be made. First, the Court notes that plaintiff has not named the correct defendants. The Ben Hill County Sheriff's Department is not a legal entity subject to suit. *Dean v. Barber*, 951 F.2d 1210 (11th Cir. 1992). Moreover, there is no way for the Court to know to whom plaintiff is referring when he names "All Inside Detail Lieutenants and Sergeants, and all Captains Overseeing Inmates." There is simply no way to serve such unnamed individuals.

Plaintiff must give the names of all the officers and medical staff from whom he requested

help when he allegedly swallowed the copper wire particles contained in the hamburger he consumed. Moreover, plaintiff needs to tell the Court if he ever received medical care following this incident and what, if any, medical problems were caused by this incident.

Plaintiff shall have until November 24, 2006 to submit a supplemental complaint. If plaintiff fails to respond to this Order in a timely manner, this action shall be dismissed. There shall be **no service of process** until further order of the Court.

SO ORDERED, this 27th day of October, 2006.

/s/ Richard L. Hodge
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE

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