

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

NIGEL MARLIN REID, SR.,)

Plaintiff,)

v.)

ESCO JARNAGIN¹ and)
HAMBLLEN COUNTY)
GOVERNMENT,)

Defendants.)

No.: 2:14-cv-281-RLJ

MEMORANDUM AND ORDER

The Court is in receipt of a *pro se* civil rights complaint under 42 U.S.C. § 1983 and an application to proceed *in forma pauperis*. It appears from the application that the plaintiff lacks sufficient financial resources to pay the \$400.00 filing fee. Plaintiff's application to proceed *in forma pauperis* is **GRANTED**. Plaintiff's motion for jury demand [Doc. 3] is **GRANTED** for purposes of this case and his motion for U.S. Marshal Form 285 [Doc. 4] is **GRANTED** as set forth below.

The Clerk is **DIRECTED** to send the plaintiff a service packet (a blank summons and USM 285 form) for defendant Esco Jarnagin. The "Hamblen County Government" is not a suable entity under § 1983 and it is **DISMISSED** from this action.

¹Plaintiff misspelled the name of Sheriff Esco Jarnagin. The Clerk is **DIRECTED** to correct the docket sheet to show the correct spelling of Sheriff Jarnagin's name.

The plaintiff is **ORDERED** to complete the service packet for defendant Jarnagin and return it to the Clerk's Office within twenty (20) days of the date of receipt of this Memorandum and Order. At that time the summons will be signed and sealed by the Clerk and forwarded to the U.S. Marshal for service. Fed. R. Civ. P. 4. The plaintiff is forewarned that failure to return the completed service packet within the time required could jeopardize his prosecution of this action.

Defendant Jarnagin shall answer or otherwise respond to the complaint within twenty-one (21) days from the date of service. Defendant's failure to timely respond to the complaint may result in entry of judgment by default against defendant.

Plaintiff is **ORDERED** to inform the Court in writing, and the defendant or his counsel of record, immediately of any address changes. Failure to provide a correct address to this Court within ten (10) days following any change of address may result in the dismissal of this action.

E N T E R :

s/ Leon Jordan
United States District Judge