

**U.S. District Court
Eastern District of Arkansas (Central Division)
CIVIL DOCKET FOR CASE #: 4:18-cv-00541-JM**

Allen v. Holladay et al
Assigned to: Judge James M. Moody Jr.
Case in other court: USCA8, 20-01082
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 08/20/2018
Date Terminated: 07/08/2019
Jury Demand: Plaintiff
Nature of Suit: 555 Prison Condition: Civil Rights
Jurisdiction: Federal Question

Plaintiff**Derrick Allen**

represented by **Derrick Allen**
PULASKI COUNTY DETENTION
FACILITY
3201 West Roosevelt Road
Little Rock, AR 72204
PRO SE

V.

Defendant

Doc Holladay
Sheriff, Pulaski County Jail

Defendant

Brawley
Grievance Officer, Pulaski County Jail

Defendant

Briggs
Major, Pulaski County Jail

Defendant

Musaddiq
Sheriff, Pulaski County Jail

Defendant

Bang
Lieutenant, Pulaski County Jail

Defendant

Routh
Lieutenant, Pulaski County Jail

Defendant

Ryan Crancer
Deputy, Pulaski County Jail

Date Filed	#	Docket Text
08/20/2018	<u>1</u>	MOTION for Leave to Proceed in forma pauperis by Derrick Allen. (kdr) (Entered: 08/20/2018)
08/20/2018	<u>2</u>	COMPLAINT against All Defendants, filed by Derrick Allen.(kdr) (Entered: 08/20/2018)

08/20/2018	<u>3</u>	MOTION for Preliminary Injunction by Derrick Allen. (kdr) [STRICKEN PER <u>7</u> ORDER] (jak) (Entered: 08/20/2018)
09/05/2018	<u>4</u>	MOTION to Amend <u>2</u> Complaint by Derrick Allen. (cel) (Entered: 09/05/2018)
09/06/2018	<u>5</u>	Mail Returned Undeliverable as to Derrick Allen re <u>1</u> Motion for Leave to Proceed in forma pauperis, <u>2</u> Complaint, <u>3</u> Motion for Preliminary Injunction. (fjg) (Entered: 09/06/2018)
09/10/2018	<u>6</u>	Mail Returned Undeliverable as to Derrick Allen re <u>4</u> Motion to Amend. (fjg) (Entered: 09/10/2018)
09/12/2018	<u>7</u>	INITIAL ORDER FOR PRO SE PRISONERS granting <u>1</u> Motion for Leave to Proceed in forma pauperis; striking the <u>3</u> Motion for Preliminary Injunction from the record, without prejudice. Signed by Magistrate Judge J. Thomas Ray on 9/12/18. (tjb) (Entered: 09/12/2018)
09/17/2018	<u>8</u>	Mail Returned as Undeliverable as to Derrick Allen re <u>7</u> Initial Order for Pro Se Prisoners. (cmn) (Entered: 09/17/2018)
09/25/2018	<u>9</u>	ORDER directing the Clerk to mail plaintiff a free-world Application to Proceed In Forma Pauperis; directing plaintiff to file (1) a notice of his current mailing address and (2) if he has been released a free-world Application to Proceed In Forma Pauperis by 10/25/18 <u>8</u> . Signed by Magistrate Judge J. Thomas Ray on 9/25/18. (tjb) (Entered: 09/25/2018)
10/02/2018	<u>10</u>	Mail Returned Undeliverable as to Derrick Allen re <u>9</u> Order, IFP free-world application. (fjg) (Entered: 10/02/2018)
11/01/2018	<u>11</u>	ORDER dismissing this case without prejudice due to a lack of prosecution; and certifying that an in forma pauperis appeal from this Order would not be taken in good faith. Signed by Judge James M. Moody Jr. on 11/1/2018. (ljb) (Entered: 11/01/2018)
11/01/2018	<u>12</u>	JUDGMENT: Consistent with <u>11</u> Order entered separately today, this case is dismissed without prejudice. All relief sought is denied, and the case is closed. Signed by Judge James M. Moody Jr. on 11/1/2018. (ljb) (Entered: 11/01/2018)
11/01/2018	<u>13</u>	APPELLATE FILING FEE NOTICE to Plaintiff. (ljb) (Entered: 11/01/2018)
11/13/2018	<u>14</u>	Mail Returned Undeliverable as to Derrick Allen re <u>13</u> Appellate Filing Fee Notice. (fjg) (Entered: 11/13/2018)
11/16/2018	<u>15</u>	Mail Returned Undeliverable as to Derrick Allen re <u>11</u> Order, <u>12</u> Judgment. (fjg) (Entered: 11/16/2018)
11/20/2018	<u>16</u>	NOTICE of Change of Address by Derrick Allen. (thd) (Entered: 11/20/2018)
12/03/2018	<u>17</u>	MOTION for Leave to Proceed in forma pauperis by Derrick Allen (jap) (Entered: 12/03/2018)
12/03/2018	<u>18</u>	MOTION to Reopen Case by Derrick Allen. (ljb) (Entered: 12/03/2018)
01/07/2019	<u>19</u>	ORDER referring this case to United States Magistrate Judge J. Thomas Ray for consideration and determination of all pre-trial matters and for recommended disposition for the resolution of any dispositive matters. Signed by Judge James M. Moody Jr. on 1/7/2019. (ljb) (Entered: 01/07/2019)
02/13/2019	<u>20</u>	ORDER granting <u>18</u> Allen's Motion to Reopen and <u>17</u> Motion for Leave Proceed In Forma Pauperis; directing the Clerk to reopen this case; denying <u>4</u> Allen's Motion to Amend; directing the Clerk to mail Allen a 1983 complaint form that is labeled "Amended Complaint"; and directing Allen to file, within 30 days of the date of this Order, an Amended Complaint containing the information specified in this Order. Signed by Magistrate Judge J. Thomas Ray on 2/13/2019. (cmn) (Entered: 02/13/2019)
03/07/2019	<u>21</u>	MOTION for Leave to Proceed in forma pauperis by Derrick Allen. (kdr) (Entered: 03/07/2019)
03/07/2019	<u>22</u>	AMENDED COMPLAINT with Jury Demand against All Defendants, filed by Derrick Allen.(kdr) (Entered: 03/07/2019)

06/13/2019	<u>23</u>	RECOMMENDED DISPOSITION recommending that <u>2</u> <u>22</u> Allen's Complaint and Amended Complaint be dismissed, without prejudice; the dismissal of the case be counted as a "strike"; and the Court certify that an in forma pauperis appeal from any Order adopting this Recommendation would not be taken in good faith. Objections due within 14 days of the date of this Recommendation. Signed by Magistrate Judge J. Thomas Ray on 6/13/2019. (kdr) (Entered: 06/13/2019)
07/08/2019	<u>24</u>	ORDER approving and adopting in its entirety <u>23</u> Recommendation as this Court's findings in all respects; dismissing without prejudice <u>2</u> Complaint and <u>22</u> Amended Complaint for failing to state a claim upon which relief may be granted; and certifying that an in forma pauperis appeal from this Order and accompanying Judgment would not be taken in good faith. Dismissal is a "strike" pursuant to 28 U.S.C. § 1915(g). Signed by Judge James M. Moody Jr. on 7/8/2019. (ljb) (Entered: 07/08/2019)
07/08/2019	<u>25</u>	JUDGMENT: Consistent with <u>24</u> Order entered separately today, this case is dismissed without prejudice. Signed by Judge James M. Moody Jr. on 7/8/2019. (ljb) (Entered: 07/08/2019)
07/08/2019	<u>26</u>	APPELLATE FILING FEE NOTICE to Plaintiff. (ljb) (Entered: 07/08/2019)
07/22/2019	<u>27</u>	MOTION to Reopen Case and Objection to <u>24</u> Order of Dismissal by Derrick Allen. (kdr) (Entered: 07/22/2019)
07/25/2019	<u>28</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER denying <u>27</u> Motion to Reopen Case. Plaintiff has not put forth any grounds justifying relief from the judgment and order of dismissal, and his motion is denied. Signed by Judge James M. Moody Jr. on 7/25/19. (dpb) (Entered: 07/25/2019)
01/02/2020	<u>29</u>	NOTICE OF APPEAL and NOTICE of Change of Address by Derrick Allen. (jak) (Entered: 01/02/2020)
01/02/2020	<u>30</u>	APPELLATE FILING FEE NOTICE to Plaintiff. Response due by 2/3/2020.(ajt) (Entered: 01/02/2020)
01/10/2020	<u>31</u>	MOTION for Leave to Appeal in forma pauperis by Derrick Allen. (ajt) (Entered: 01/10/2020)
01/10/2020	<u>32</u>	ORDER denying <u>31</u> Plaintiff's motion for leave to appeal in forma pauperis. Signed by Judge James M. Moody Jr. on 01/10/2020. (ajt) (Entered: 01/10/2020)
01/10/2020	<u>33</u>	NOTIFICATION OF APPEAL and NOA SUPPLEMENT as to <u>29</u> Notice of Appeal re <u>24</u> Order and <u>25</u> Judgment. (ajt) (Entered: 01/10/2020)
01/13/2020	<u>34</u>	USCA Docketing Letter as to <u>29</u> Notice of Appeal filed by Derrick Allen. USCA Case Number 20-1082. (ajt) (Entered: 01/13/2020)
01/13/2020	<u>35</u>	ORDER of USCA as to <u>29</u> Notice of Appeal filed by Derrick Allen: The \$505 appellate filing and docketing fee has not been paid and is due. Appellant is directed to pay the fee in the district court or file a motion to proceed in forma pauperis in this court within 28 days of this order. (ajt) (Entered: 01/13/2020)
01/13/2020	<u>36</u>	ORDER of USCA as to <u>29</u> Notice of Appeal filed by Derrick Allen: The Clerk of the district court is requested to forward to this Court forthwith any portions of the original record which are not available in an electronic format through PACER. (ajt) (Entered: 01/13/2020)
02/03/2020	<u>37</u>	USCA JUDGMENT as to <u>29</u> Notice of Appeal filed by Derrick Allen: The court orders that this untimely appeal be dismissed for lack of jurisdiction. The full \$505 appellate and docketing fees are assessed against the appellant. The court remands the collection of those fees to the district court. (ajt) (Entered: 02/03/2020)
03/11/2020	<u>38</u>	ORDER of USCA as to <u>29</u> Notice of Appeal filed by Derrick Allen: The petition for rehearing by the panel is denied. The motion for a copy of the original file is also denied. (ajt) (Entered: 03/11/2020)
03/18/2020	<u>39</u>	MANDATE of USCA in accordance with the judgment of 02/03/2020 as to <u>29</u> Notice of Appeal filed by Derrick Allen. (ajt) (Entered: 03/18/2020)