

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

VAUGHN DAMON WILSON

PLAINTIFF

v.

Civil No. 09-2098

ALMA CITY COURT and
THE STATE OF ARKANSAS

DEFENDANTS

ORDER

Now before the Court is the Motion for Leave to Modify and Add New Defendants (Doc. 6). Plaintiff seeks to add as Defendants to his above styled case Patrick A. Schmidt and Paul D. Gant. Mr. Schmidt is an officer with the Arkansas State Police. Mr. Gant is a Judge for Alma City Court in Alma, Arkansas.

A Report and Recommendation (Doc. 5) has been entered by the undersigned, recommending dismissal of this case because claims are frivolous, fail to state claims upon which relief can be granted, and seek relief from defendants immune from suit. The Court finds it would be untimely to now allow the addition of new Defendants into this case. Moreover, Plaintiff does not specify what claim or claims he is making against putative Defendants Schmidt and Gant, therefore amendment of the Complaint is not warranted at this time. The Motion to Modify and Add New Defendants (Doc. 6) is DENIED.

IT IS SO ORDERED this 16th day of October 2009.

/s/ J. Marschewski
HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE