

FORMAL ORDER

**BE IT REMEMBERED, THAT A SESSION OF THE SUPREME COURT
BEGUN AND HELD IN THE CITY OF LITTLE ROCK, ON MARCH 8, 2018,
AMONGST OTHERS WERE THE FOLLOWING PROCEEDINGS, TO-WIT:**

SUPREME COURT CASE NO. CV-18-81

MICHAEL LYNN HEARD PETITIONER

V. APPEAL FROM VAN BUREN COUNTY CIRCUIT COURT - 71CV-17-93

OFFICER SCOTT SOLOMON, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
OFFICER DAVID HESS, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
ATTORNEY CHAD BROWN, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY;
ANGELA A. BYRD, INDIVIDUALLY AND IN HER OFFICIAL CAPACITY; JUDGE
HARRY G. FOSTER III, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY
RESPONDENTS

PETITIONER'S PRO SE MOTION TO PROCEED IN FORMA PAUPERIS IS DENIED. BAKER, J., WOULD GRANT.

FILING FEE OF \$165.00 DUE WITHIN SEVEN DAYS (MARCH 15, 2018).

IN TESTIMONY, THAT THE ABOVE IS A TRUE COPY OF
THE ORDER OF SAID SUPREME COURT, RENDERED IN
THE CASE HEREIN STATED, I, STACEY PECTOL,
CLERK OF SAID SUPREME COURT, HEREUNTO
SET MY HAND AND AFFIX THE SEAL OF SAID
SUPREME COURT, AT MY OFFICE IN THE CITY OF
LITTLE ROCK, THIS 8TH DAY OF MARCH, 2018.

DeeDee Petrol CLERK
BY: _____ DEPUTY CLERK

ORIGINAL TO CLERK

CC: MICHAEL LYNN HEARD
MARYNA JACKSON, ASSISTANT ATTORNEY GENERAL
THOMAS J. DIAZ
SARA MONAGHAN
HONORABLE CHRIS CARNAHAN, CIRCUIT JUDGE

App. A

ELECTRONICALLY FILED
Van Buren County Circuit Court
Debbie Gray, Circuit Clerk
2017-Nov-17 09:35:05
71CV-17-93
C20001 : 1 Page

IN THE CIRCUIT COURT OF VAN BUREN COUNTY, ARKANSAS
FIRST DIVISION

MICHAEL LYNN HEARD

PLAINTIFF

vs.

CASE NO. 71CV-17-93

OFFICER SCOTT SOLOMON; Individually
And in his official capacity; OFFICER DAVID HESS;
Individually and in his official capacity;
ATTORNEY CHAD BROWN, Individually And in
His official capacity; ANGELA A. BYRD, Individually
and in her official capacity;
JUDGE HARRY G. FOSTER III, Individually and in
his official capacity

DEFENDANT

ORDER

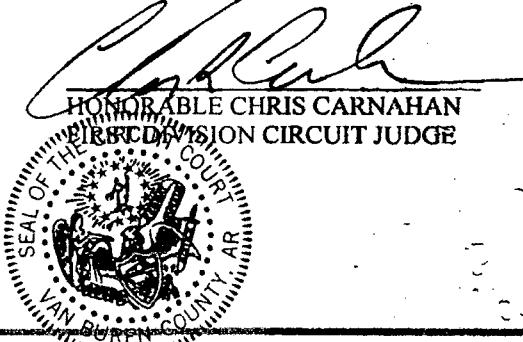
Comes Now, on this the 17th Day of November, 2017, the above-styled matter and upon
the Court's own motion, doth find and order the following:

1. On or about March 23, 2017, Michael Lynn Heard, the Plaintiff, did file a Petition for Leave to Proceed *in forma pauperis* with the Van Buren County Circuit Clerk.
2. Judge David Clark, upon review of Plaintiff's Petition, allowed Plaintiff to Proceed *in forma pauperis* and entered an order to that effect on June 1, 2017.
3. Plaintiff has alleged that he has sustained various injuries as a result of the above-named Defendants' alleged malicious prosecution.
4. Arkansas Rule of Civil Procedure Rule 72(d) states: "No person shall be permitted to prosecute any action of slander, libel or malicious prosecution *in forma pauperis*."
5. Because Plaintiff has sued the above five Defendants for malicious prosecution, he has unlawfully avoided payment of costs and service of process.
6. Plaintiff is no longer to be considered an indigent Plaintiff for purposes of this suit and Judge Clark's Order of June 1, 2017 allowing Plaintiff to proceed *in forma pauperis* is hereby rescinded and rendered a nullity.
7. Plaintiff is ordered to pay to the Van Buren County Circuit Clerk a filing fee of \$165.00 and summons preparation fees for five Defendant's at \$2.50 each of \$12.50, for a total payment of \$177.50 on or before December 15, 2017. The failure of the Plaintiff to pay the above costs and fees by December 15, 2017, shall be considered a contempt of this court and a show cause will issue forthwith.

IT IS SO ORDERED.

CERTIFICATE

STATE OF ARKANSAS)
COUNTY OF VAN BUREN) CIRCUIT COURT
1, DEBBIE GRAY, CLERK of the County and State aforesaid, do hereby
certify that the annexed and foregoing instrument of writing is a true and
correct copy of document as appears of record.
Document number 71CV-17-93 consisting of
1 page. HEREUNTO SET MY HAND and official seal on this
15 day of February, 2018
(SEAL) Debbie Gray CLERK
BY: Chris Carnahan D.C.



App. B

ELECTRONICALLY FILED
Van Buren County Circuit Court
Debbie Gray, Circuit Clerk
2017-Nov-27 10:25:16
71CV-17-93
C20D01 : 1 Page

IN THE CIRCUIT COURT OF VAN BUREN COUNTY, ARKANSAS
CIVIL DIVISION
MICHAEL LYNN HEARD PLAINTIFF

V. CASE NO. 71CV-17-93

OFFICER SCOTT SOLOMON; Individually
And in his official capacity; OFFICER DAVID HESS;
Individually and in his official capacity;
ATTORNEY CHAD BROWN, Individually
And in his official capacity; ANGELA A.
BYRD, Individually and in her official capacity;
JUDGE HARRY G. FOSTER III, Individually
And in his official capacity

DEFENDANTS

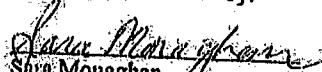
ORDER

CAME on for hearing, November 17, 2017, Motions for Summary Judgment filed by Officer Scott Solomon, Officer David Hess, Attorney Chad Brown, Angela A. Byrd and Judge Harry G. Foster III, each in their individual and official capacities. After a review of the pleadings and arguments regarding same, the Court finds and hereby ORDERS, ADJUDGES and DECREES that all Defendants' Motions for Summary Judgment are granted and the above case is dismissed with prejudice.

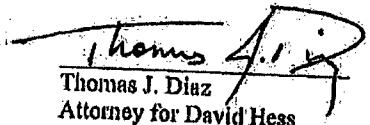


Hon. Chris Carnahan

Approved as to Form by:



Sura Monaghan
Attorney for Scott Solomon



Thomas J. Diaz
Attorney for David Hess



Maryna O. Jackson
Attorney for Chad J. Brown, Angela
A. Byrd, and Judge H.G. Foster, III

App. C

ELECTRONICALLY FILED
Van Buren County Circuit Court
Debbie Gray, Circuit Clerk
2017-Jun-01 16:14:28
71CV-17-93
C20D01 : 1 Page

THE CIRCUIT COURT OF Van Buren COUNTY, ARKANSAS

CIVIL DIVISION No. _____

MICHAEL LYNN HEARD;

Plaintiff

v.

Officer SCOTT SOLOMON cpd, individually;
Officer DAVID HESS vbcpd, individually;
Attorney CHAD J. BROWN, individually;
Attorney ANGELA A. BYRD, individually;
Judge HARRY G. FOSTER III, individually.

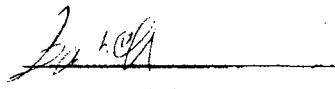
Defendants

ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS

On this day comes on to be heard the petition of Michael L. Heard, that he be permitted to prosecute the above action in forma pauperis. The Court being satisfied of the facts alleged and good cause appearing thereto, IT IS HEREBY ORDERED:

1. That Michael L. Heard be authorized and permitted to prosecute the above-captioned action against _____, in forma pauperis.
2. That the Clerk of the Court shall receive and file any necessary forms or pleadings incident to petitioner's action without requiring the payment of fees or costs.
3. That the sheriffs of the counties of the State of Arkansas shall serve writs or processes incident to petitioner's action without requiring the payment of fee of costs.
4. That no other officer shall require of the petitioner any fee or cost incident to this action.

AND IT IS SO ORDERED.



Judge

EJC-17

Date

App. D