



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

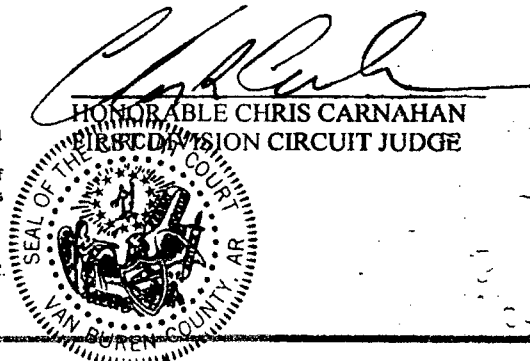
Comes Now, on this the 17<sup>th</sup> Day of November, 2017, the above-styled matter and upon  
the Court's own motion, doth find and order the following:

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of this suit and Judge Clark's Order of June 1, 2017 allowing Plaintiff to proceed *in forma pauperis* is hereby rescinded and rendered a nullity.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  
I, 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-2017-93 consisting of  
1 pages. HEREUNTO SET MY HAND and official seal on this  
17 day of February, 2018  
(SEAL) Debbie Gray CLERK  
BY: [Signature] D.C.



App. B

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

MICHAEL LYNN HEARD

PLAINTIFF

V.

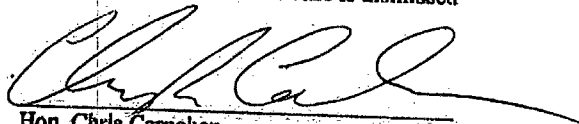
CASE NO. 71CV-17-93

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

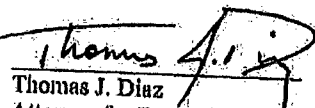
ORDER


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:

  
Sara 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

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;

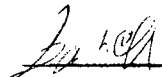
**Defendants**

**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  
6-1-17  
\_\_\_\_\_  
Date

App. D