

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**DARLENE RODGERS**

**PLAINTIFF**

**v.**

**No. 3:17-cv-291-DPM**

**TAURA McDANIEL, Attorney Ad Litem;  
VAL PRICE, Court Appointed Attorney;  
RALPH WILSON, JR., Judge, Second  
Judicial Circuit; MIKE GIBSON, Judge;  
KATHERINE DEAN, Prosecutor; GRENEDA  
JOHNSON, Former DHS Attorney; JEREMY  
BLAND, Attorney; BRADLEY LAW FIRM;  
DESTERNIE RICHMOND-SULLIVAN,  
CASA Association; CHELSEA FIFI, Counsel  
at Family Inc. Counseling Services; TONYA  
JONES, Case Manager/Supervisor;  
SYLVIA WARE, Case Worker; OSCEOLA  
POLICE DEPARTMENT; STEFANIE  
SMITHEY, Principal; and TYLER  
DUNEGAN, City Council**

**DEFENDANTS**

**ORDER**

I've been studying the filings in this case to make a decision on the pending motions to dismiss. I've learned that Judge Brandon J. Harrison was part of the three-judge panel of the Arkansas Court of Appeals that decided the case about terminating Rodgers's parental rights. *No. 7 at 2-5 & No. 29 at 41-53*. Rodgers has not sued Judge Harrison. But the core of her case in this Court is that the dependency-

neglect proceedings were wrongfully handled. The Court of Appeals, speaking through Judge Harrison, affirmed the termination of her parental rights. And Rodgers says that the presence of the Court of Appeals' decision on-line is one of the ways in which she has been defamed and harmed. *No 7 at 1*. Judge Harrison and I have been close friends for many years. He's on my recusal list. In these circumstances, my impartiality in addressing Rodgers's claims on the merits could reasonably be questioned. 28 U.S.C. § 455(a). I therefore recuse. The Clerk must reassign this case at random by chip exchange.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

16 April 2018