

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 20-1079

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James Ray Davis

Plaintiff - Appellant

v.

Christopher Morledge, Judge, St. Francis County Circuit Court (Originally named as Christopher Marledge); Austin Easley, Prosecutor, St. Francis County; John Houseal, Prosecutor, St. Francis County; Bette S. Green, Circuit Court Clerk, St. Francis County; Gary Mitctusson, Public Defender, St. Francis County; Fletcher Long, Prosecutor, St. Francis County; St. Francis County

Defendants - Appellees

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Appeal from U.S. District Court for the Eastern District of Arkansas - Helena  
(2:18-cv-00183-BSM)

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**JUDGMENT**

Before LOKEN, COLLOTON, and KOBES, Circuit Judges.

This court has reviewed the original file of the United States District Court. It is ordered by the court that the judgment of the district court is summarily affirmed. See Eighth Circuit Rule 47A(a). The motion for leave to proceed in forma pauperis has been considered and is granted. The full \$505 appellate and docketing fees are assessed against the appellant. Appellant will be permitted to pay the fee by installment method contained in 28 U.S.C. sec. 1915(b)(2). The court remands the calculation of the installments and the collection of the fees to the district court. Appellant's motion for appointment of counsel is denied as moot.

April 20, 2020

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
DELTA DIVISION**

**JAMES RAY DAVIS,  
ADC #143465**

**PLAINTIFF**

**v.**

**CASE NO. 2:18-CV-00183 BSM**

**CHRISTOPHER MORLEDGE, et al.**

**DEFENDANTS**

**ORDER**

James Ray Davis's motion for judgment [Doc. No. 40] is denied because judgment was entered nearly a year ago. The clerk is directed to send Davis a copy of Doc. Nos. 5 and 33. To the extent that the motion seeks release from prison, that relief is not available in this kind of case. Additionally, this case is closed. If Davis wishes to seek release, he must file a *habeas* petition in a new case.

IT IS SO ORDERED this 30th day of December 2019.

  
UNITED STATES DISTRICT JUDGE

**UNITED STATES COURT OF APPEALS  
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No: 20-1079

James Ray Davis

Appellant

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Marledge), et al.

Appellees

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Appeal from U.S. District Court for the Eastern District of Arkansas - Helena  
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**ORDER**

The petition for rehearing by the panel is denied.

May 18, 2020

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 20-1079

James Ray Davis

Appellant

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**MANDATE**

In accordance with the judgment of 04/20/2020, and pursuant to the provisions of Federal  
Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above-styled  
matter.

May 26, 2020

Clerk, U.S. Court of Appeals, Eighth Circuit

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
DELTA DIVISION**

**JAMES RAY DAVIS,  
ADC #143465**

**PLAINTIFF**

**v.**

**CASE NO. 2:18-CV-00183 BSM**

**CHRISTOPHER MORLEDGE, et al.**

**DEFENDANTS**

**ORDER**

The Eighth Circuit assessed the full \$505 appellate filing and docketing fees against James Davis, remanding collection of those fees. Doc. No. 56. Based on information contained in his application for leave to appeal *in forma pauperis* [Doc. No. 54], no initial partial filing fee is assessed. Davis's custodian shall withdraw and forward to the clerk monthly payments in the amount of twenty percent of the preceding month's income credited to his inmate account each time the amount in the account exceeds \$10 until the \$505 fee has been paid in full. 28 U.S.C. § 1915(b)(2). The payments shall be clearly identified by the name and number assigned to this case. The clerk is directed to send a copy of this order to: (1) the Warden of the Grimes Unit, 300 Corrections Drive, Newport, Arkansas 72112; (2) the ADC Trust Fund Centralized Banking Office, P.O. Box 8908, Pine Bluff, Arkansas 71611; and (3) the ADC Compliance Office, P.O. Box 20550, Pine Bluff, Arkansas 71612.

IT IS SO ORDERED this 2nd day of July, 2020.

  
UNITED STATES DISTRICT JUDGE

**Additional material  
from this filing is  
available in the  
Clerk's Office.**