

EXHIBIT D-2

ELECTRONICALLY FILED
Pulaski County Circuit Court
Terri Hollingsworth, Circuit/County Clerk
2019-Sep-19 15:43:20
60CV-18-1027
C06D12 : 2 Pages

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
TWELFTH DIVISION

EDWARD MONK

PLAINTIFF

VS.

NO. 60CV-18-1027

ALVERNON ROGERS and
JOHN DOES 1-10

DEFENDANTS

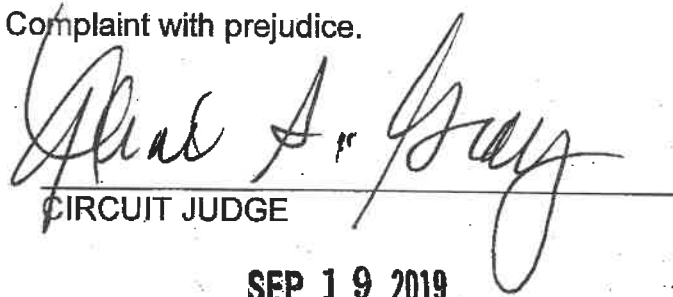
ORDER GRANTING MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT

On the 11th day of September, 2019, this matter came on for hearing before the Court on Separate Defendant Alvernon Rogers's Motion to Dismiss Plaintiff's Amended Complaint. Plaintiff appeared personally and through through his counsel, W. Whitfield Hyman and Joey McCutchen. Separate Defendant Alvernon Rogers appeared personally and through his counsel, Maryna O. Jackson.

The Court finds that Plaintiff has not pled sufficient facts in his Amended Complaint to rise to the level of a constitutional violation, and has not pled sufficient facts in his Amended Complaint to establish malice on the part of Separate Defendant Alvernon Rogers so as to overcome Rogers's qualified immunity defense regarding the actions complained of by Plaintiff.

The Court grants the Motion to Dismiss Plaintiff's Amended Complaint and hereby dismisses Plaintiff's Amended Complaint with prejudice.

IT IS SO ORDERED.


CIRCUIT JUDGE

SEP 19 2019

DATE

Judge Gray
Date 9/19/19 Div 12

Jury Trial

Bench Trial

Non-Trial

cc: W. Whitfield Hyman
Joey McCutchen
Attorneys for Plaintiff
Via electronic filing

Maryna O. Jackson
Attorney for Separate Defendant Alvernon Rogers
Via electronic filing