

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

LARRY J. LANGSTON

PLAINTIFF

V.

1:08CV00039-WRW

**TAT LAWRENCE, Izard County
Sheriff, et al.**

DEFENDANTS

ORDER

Pending are Defendants' Motion for Summary Judgment (Doc. No. 42) and Plaintiff's Motion for Extension of Time (Doc. No. 66).

Defendants' Motion for Summary Judgment was filed on March 25, 2009, but has not been responded to because the Court has been attempting to appoint counsel for Plaintiff. Now that Plaintiff has counsel, his lawyer requests that she be able to conduct discovery and depositions before responding to Defendants' Motion. This seems entirely reasonable to me.

Accordingly, Plaintiff's Motion for Extension of Time (Doc. No. 66) is GRANTED and Defendants' Motion for Summary Judgment (Doc. No. 42) is DENIED without prejudice and may be refiled after Plaintiff has had the opportunity to conduct discovery. As to Plaintiff's requests for deposition costs, she may submit an itemized statement of costs after the deposition(s) are conducted, and she will be reimbursed.

The Court will issue a new scheduling order.

IT IS SO ORDERED this 10th day of July, 2009.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE