

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

NATHANIEL L. FITZGERALD,  
ADC #84210

PLAINTIFF

v.

1:10-cv-00039-DPM-JTK

RAY HOBBS, et al.

DEFENDANTS

**ORDER**

This matter is before the Court on the Motion for Summary Judgment filed by Defendants Nance (Doc. No. 35). As of this date, Plaintiff has not filed a Response to the Motion. Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff shall file a Response to Defendant's Motion for Summary Judgment within ten (10) days of the date of this Order. Failure to respond to this Court's Order may result in the dismissal without prejudice of the Plaintiff's Complaint for failure to prosecute. See Local Rule 5.5(c)(2).

IT IS SO ORDERED this 30<sup>th</sup> day of November, 2010.



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JEROME T. KEARNEY  
UNITED STATES MAGISTRATE JUDGE