

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

RANDY T. MAYO
ADC #134578

PLAINTIFF

V.

2:09CV00066 BSM/JTR

LARRY NORRIS, Director,
Arkansas Department of Correction, et al.

DEFENDANTS

ORDER

Defendants have filed a Motion to Dismiss and a Brief in Support alleging that this *pro se* § 1983 action should be dismissed because: (1) Plaintiff has failed to state a claim upon which relief may be granted; and (2) Defendants are entitled to sovereign immunity. *See* docket entries #17 and #18. The Court concludes that a Response from Plaintiff would be helpful to the resolution of that Motion.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff shall file, **within thirty days of the entry of this Order**, a Response to Defendants' Motion to Dismiss (docket entry #17).
2. Plaintiff is hereby advised that his failure to timely comply with this Order could result in the dismissal of this action, without prejudice, pursuant to Local Rule 5.5(c)(2).¹

Dated this 20th day of August, 2009.


UNITED STATES MAGISTRATE JUDGE

¹ Local Rule 5.5(c)(2) provides, in pertinent part that: "If any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice."