

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

**ESTATE OF ORLANDO MATTHEWS;
and FLORENCE MATTHEWS,
individually and in her official capacity
as Administratrix of the estate**

PLAINTIFFS

v.

No. 2:09-cv-71-DPM

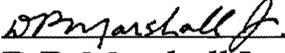
**CITY OF MARIANNA, ARKANSAS,
a municipal corporation; ROBERT
TAYLOR, Mayor of Marianna; JAMES
TUCKER, Marianna Chief of Police;
WILLIAM COLVIN, Corporal, Marianna
Police Department; SCOTT
MCCALL, Officer, Marianna Police
Department; and JOHN DOES 1-10,
in their individual and official capacities**

DEFENDANTS

ORDER

Motion for summary judgment, *Document No. 28*, denied without prejudice. The Court will be happy to hear from the parties if there are material developments in the probate court or in the *Smith* appeal. In the mean time, the parties should prepare for trial. The matter is first out on 16 July 2012. And barring some extraordinary circumstance, this old case should and will be tried then.

So Ordered.


D.P. Marshall Jr.
United States District Judge

2 April 2012