

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

MICHAEL DEWAYNE HASTINGS,
ADC #110772

PLAINTIFF

2:09CV00186JLH/JTK

LARRY NORRIS, et al.

DEFENDANTS

ORDER

On March 9, 2010, defendants Edwards, Norman, Grisby, Powell, Granger, Lowe, Yarbough, and Holloway (medical defendants) filed a motion to dismiss plaintiff's complaint against them (Doc. No. 14). Plaintiff then filed a motion for the appointment of counsel, which this Court denied by Order dated April 13, 2010, finding that he has thus far demonstrated adequate ability to place his claims before the Court (Doc. No. 39). After reviewing the defendants' motion to dismiss and plaintiff's response, the Court then determined, by Order dated May 20, 2010, that the motion should be construed as one for summary judgment, and that the parties should file additional evidence in support of their positions within ten days of the date of the Order (Doc. No. 43). While the medical defendants have since filed additional materials together with a Statement of Facts (Doc. No. 45), plaintiff has not yet filed anything in response. He has, however, filed a motion for reconsideration of this Court's earlier denial of his motion for counsel (Doc. No. 49). In addition, the remaining defendants (ADC defendants) have filed a motion for summary judgment (Doc. No. 46).

Having reviewed plaintiff's motion and the other pending motions, the Court finds plaintiff's motion for reconsideration should be denied for the same reasons set forth in the April 13, 2010 Order. Accordingly,

IT IS, THEREFORE, ORDERED that plaintiff's motion for reconsideration of the Court's denial of his motion for counsel (Doc. No. 49) is hereby DENIED.

IT IS FURTHER ORDERED that plaintiff shall file a response to the May 20, 2010 Order and to the ADC defendants' motion for summary judgment within fifteen days of the date of this Order.

IT IS SO ORDERED this 14th day of June, 2010.



United States Magistrate Judge