

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

JESSE L. HALL,
REG. #12126-035

PLAINTIFF

v.

2:11-cv-00012-BSM-JTK

UNITED STATES OF AMERICA

DEFENDANT

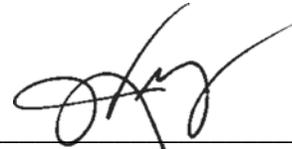
ORDER

This case is ready to be set for trial. Plaintiff has made a jury demand (Doc. No. 2), to which Defendant has objected (Doc. No. 17).

Plaintiff filed this action against Defendant pursuant to the Federal Tort Claims Act (FTCA), 28 U.S.C. § 2671, et seq. According to § 2402 of the Act, an action against the United States under section 1346 “shall be tried by the court without a jury....” Actions filed pursuant to section 1346 (b)(1) include civil actions filed against the United States for money damages for injury or loss of property, such as the Complaint filed by Plaintiff Hall.

Therefore, this action shall be set for an Evidentiary Hearing, without a jury, in accordance with the statutory requirements. A separate Scheduling Order shall issue.

IT IS SO ORDERED this 21st day of May, 2012.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE