

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

VICTOR FILPO
Reg. #53087-054

PLAINTIFF

v.

No. 2:14-cv-140-DPM-PSH

UNITED STATES OF AMERICA

DEFENDANTS

ORDER

1. The Court adopts the unopposed portion of the recommendation, *No 30 at 2-4*. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Defendants' motion for partial summary judgment, *No 13*, granted.

2. Filpo's objection, *No 31*, is actually a belated response to the motion for summary judgment. The Court would appreciate Magistrate Judge Harris's view on the motion with the benefit of Filpo's response. The Court therefore declines the remainder of the recommendation without prejudice. The Court returns the case to Magistrate Judge Harris to consider Filpo's filing and make an updated recommendation on the motion for summary judgment, *No 23*.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

20 September 2016