

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

M. RANDY RICE

PLAINTIFF

v.

No. 4:17-mc-10-DPM

CALLOWAY PLANTING COMPANY  
and JEFFREY B. CALLOWAY

DEFENDANTS

ORDER

1. Calloway Planting and Jeffrey Calloway ask this Court to withdraw its reference of the Trustee's adversary proceeding against them. *No. 1*; LOCAL RULE 83.1(II)(c). The adversary complaint alleges avoidable preferential transfers and constructively fraudulent transfers to the defendants. They demanded a jury trial; but don't consent to the Bankruptcy Court's holding it. 28 U.S.C. § 157(e). Judge Jones concluded the issues are triable of right by a jury. This Court agrees. The motion, *No. 1*, is therefore granted.

2. The reference is withdrawn as to *M. Randy Rice v. Calloway Planting Company et al.*, United States Bankruptcy Court for the Eastern District of Arkansas, No. 2:16-ap-01128. The Court directs the Clerk of the Bankruptcy Court and the Clerk of this Court to terminate this miscellaneous case, and to handle the transfer of the adversary proceeding (and all related filings) to this Court, where it should be docketed as a civil action.

So Ordered.

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

*9 August 2017*