

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

JOEAN LOWERY

PLAINTIFF

v.

3:09CV00013-WRW

**UNUM LIFE INSURANCE
COMPANY OF AMERICA**

DEFENDANT

ORDER

Pending is Plaintiff's Motion for Partial Summary Judgment (Doc. No. 11). Defendant has responded.¹ For the reasons set out below, Plaintiff's motion's is DENIED without prejudice.

Plaintiff asserts that "in the instant case the standard [of review] should be "de novo" and there should be full discovery."² Defendant contends, among other things, that a motion for summary judgment may not be the appropriate pleading with respect to these issues, because Plaintiff is not seeking judgment on all or part of her claim.³ I agree. Moreover, I am uncertain of exactly what relief Plaintiff is requesting. Accordingly, Plaintiff's Motion for Partial Summary Judgment is DENIED without prejudice.

IT IS SO ORDERED this 14th day of July, 2009.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹Doc. No. 13.

²Doc. No. 12.

³Doc. No. 13.