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

NATHANIEL FITZGERALD

PLAINTIFF

v.

3:09CV00154HLJ

RICHARD BUSBY, et al.

DEFENDANTS

<u>ORDER</u>

By Order dated October 27, 2009, this Court directed the issuance of summons and service of plaintiff's complaint on defendants (DE #16). Summons was returned, unexecuted, with respect to defendant Boyken on December 15, 2009 (DE #46). Therefore, defendants are hereby directed to provide the Court with defendant Boykin's last-known address within ten days of the date of this Order.

In addition, the Court construes plaintiff's motions for order directing investigation and for order for release (DE ##42, 47) as motions for preliminary injunctive relief. Defendants shall file a response to these motions within ten days of the date of this Order.

IT IS SO ORDERED this 23rd day of December, 2009.

United States Magistrate Judge