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

HEATH BANKS

PLAINTIFF

v.

Case No. 3:10-cv-8-DPM

UNITED STATES OF AMERICA

DEFENDANT

ORDER

The Court needs clarification about Banks's recent motion, *Document No*.

14. If the Court dismisses without prejudice, Banks's claims may be barred by the statute of limitations. Banks's request for one year to re-file cannot be guaranteed by the Court. *Victor Foods, Inc. v. Crossroads Economic Development of St. Charles County, Inc.*, 977 F.2d 1224, 1227 (8th Cir. 1992). Does Banks wish to go forward with his motion nonetheless? Counsel should consult with Banks and file his answer to this question by 28 July 2011.

So Ordered.

D.P. Marshall Jr.

12 July 2011

United States District Judge