

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

**JERRY HART,
ADC #92358**

PLAINTIFF

V.

CASE NO. 3:10CV00015 BD

SHARON BEASLEY, et al.

DEFENDANTS

ORDER

On November 19, 2010, Defendant Beasley filed a motion for partial summary judgment. (Docket entry #43) Plaintiff now has the opportunity to file a response opposing Defendant Beasley's motion. A response may be filed any time within fourteen (14) days of the date of this Order.¹

Plaintiff's response to the Defendant's motion may include opposing or counter-affidavits, executed by Plaintiff or other persons, which have either been sworn to under oath, *i.e.*, notarized, or declared to under penalty of perjury in accordance with 28 U.S.C.

¹Plaintiff is reminded of his responsibility to comply with Local Rule 5.5(c)(2) of the Rules of the United States District Court for the Eastern District of Arkansas, which provides: "It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding pro se shall be expected to be familiar with and follow the Federal Rules of Civil Procedure."

§ 1746. Any affidavits submitted by Plaintiff must be based upon the personal knowledge of the person executing the affidavit. No affidavit or other document containing Plaintiff's allegations will be considered when determining the motion for summary judgment unless it has been sworn to under oath or declared under penalty of perjury.

Under Local Rule 56.1 of the Rules of the United States District Court for the Eastern District of Arkansas, if Plaintiff files a response, he must also file a separate, short and concise statement setting out the facts which he thinks need to be decided at a trial.

IT IS SO ORDERED this 30th day of November, 2010.


UNITED STATES MAGISTRATE JUDGE