

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

NATHANIEL FITZGERALD
ADC #84210

PLAINTIFF

V.

3:10CV00078 SWW/JTR

TERESSA BONNER, Chief Jailer,
Crittenden County Detention Center, et al.

DEFENDANTS

ORDER

On November 29, 2010, the Court entered an Order giving Plaintiff thirty days to file a Response to Defendants' Motion for Summary Judgment and a Statement of Disputed Facts. *See* docket entry #40.

On December 13, 2010, Plaintiff filed a "Response," stating that he received the Court's November 29, 2010 Order "late." *See* docket entry #42. Although it is unclear, it appears that Plaintiff is also contending that he did not receive a complete copy of Defendants' summary judgment papers. *Id.*

In an abundance of caution, the Court will direct the Clerk to mail Plaintiff a copy of Defendants' summary judgment papers and give him a thirty-day extension to comply with the Court's November 29, 2010 Order.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Response (docket entry #40), which has been construed as a Motion for An Extension of Time, is GRANTED.
2. The Clerk is directed to mail Plaintiff a copy of Defendants' summary judgment papers (docket entries #37, #38, and #39).

3. Plaintiff shall file, **on or before January 14, 2011**, a Response to Defendants' Motion for Summary Judgment and a Statement of Disputed Material Facts that comply with Fed. R. Civ. P. 56, Local Rule 56.1, and the instructions set forth in the November 29, 2010 Order.

4. Plaintiff is advised that if he fails to timely and properly do so, all of the facts set forth in Defendants' summary judgment papers will be deemed admitted by Plaintiff, pursuant to Local Rule 56.1(c).

Dated this 20th day of December, 2010.


UNITED STATES MAGISTRATE JUDGE