

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

DAVID M. CLARK,
ADC #930765

PLAINTIFF

V.

3:13CV00012 SWW/JTR

TOMMY HUSTAFER, Jailer,
Greene County Detention Center, et al.

DEFENDANTS

ORDER

Plaintiff, David M. Clark, is a prisoner proceeding *pro se* in this § 1983 action. On March 28 and 29, 2013, the Court received two untitled documents, which the Clerk docketed as “Letters” from Plaintiff. *See* Docs. #27 and #28. After reading those documents, the Court concludes that they are more properly characterized as Plaintiff’s Motion for Summary Judgment and a supporting Exhibit. The Court will direct the Clerk to redocket them accordingly.

On April 4, 2013, Defendants filed a Motion arguing that Defendant Felix has not been properly served. *See* Doc. #30. Plaintiff has thirty days to file a Response to that Motion.

IT IS THEREFORE ORDERED THAT:

1. The Clerk is directed to redocket Plaintiff’s March 28, 2013 “Letter” (Doc. #27) as “Plaintiff’s Motion for Summary Judgment” and his March 29, 2013

“Letter” (Doc. #28) as “Plaintiff’s Supporting Exhibit.”

2. Plaintiff must file, **on or before May 10, 2013**, a Response to Defendant’s Motion to Set Aside Service on Felix (Doc. #30).

3. Plaintiff is advised that if he fails to timely and properly do so, Defendant Felix will be dismissed, without prejudice.

Dated this 15th day of April, 2013.


UNITED STATES MAGISTRATE JUDGE