

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

NICHOLAS CORTEZ ADDISON

PLAINTIFF

V.

CASE NO. 3:15-CV-00154 DPM/BD

JOEY MARTIN

DEFENDANT

ORDER

Defendant Martin has moved for summary judgment on all claims in this lawsuit. (Docket entry #33) Mr. Addison now has an opportunity to file a response opposing the motion. To be considered, the response must be filed within fourteen (14) days of this Order.

In opposing the motion for summary judgment, Mr. Addison may attach affidavits that he or others have signed. Because affidavits are sworn statements, they must be either notarized or declared under penalty of perjury (see 28 U.S.C. § 1746). Unsworn statements will not be considered in deciding the motion for summary judgment. And to be considered, an affidavit must be based on the personal knowledge of the person who signs it.

If Mr. Addison files a response, he must also file a separate, short statement setting forth the disputed facts that he believes must be decided at a trial. See Local Rule 56.1, Rules of the United States District Court for the Eastern District of Arkansas. While Mr. Addison is not required to file a response to the Defendants' motion for summary

judgment, if he does not respond, the Court can assume that the facts set out in the Defendant's Statement of Facts (#35) are true.

IT IS SO ORDERED, this 20th day of October, 2015.


UNITED STATES MAGISTRATE JUDGE