

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

JEFFERY L. CAYTON

PLAINTIFF

V.

NO: 3:15CV00297 JLH/PSH

MIKE ALLEN *et al*

DEFENDANTS


**ORDER**

Defendants have moved for summary judgment as to plaintiff Jeffery L. Cayton's claims against them. Cayton 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's entry date.

In opposing the motion for summary judgment, Cayton 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 Cayton 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 Cayton is not required to file a response to the motion for summary judgment, if he does not respond, the Court can assume that the facts set out in the statement of facts (Doc. No. 35) are true.

IT IS SO ORDERED this 24th day of August, 2016.



---

UNITED STATES MAGISTRATE JUDGE