

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

**JAMES WESLEY DILLARD,
ADC #116862**

PLAINTIFF

V.

CASE NO. 3:18-CV-47-JM-BD

DAVID CARTER, *et al.*

DEFENDANTS

ORDER

Defendants Bagwell and Huggins have moved for summary judgment on the claims raised against them in this case. (Docket entry #52) Mr. Dillard may now respond to oppose the motion. To be considered, his response must be filed within 14 days of this Order.

In opposing the motion for summary judgment, Mr. Dillard 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. Dillard 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. Dillard is not required to respond to the Defendants' motion, if he does not respond to the Defendants' motion for summary judgment, the Court may deem as

true the facts set out in the Defendants' statement of undisputed facts (#52).

IT IS SO ORDERED, this 4th day of December, 2018.

A handwritten signature in black ink, appearing to read "Bethesda", written in a cursive style.

UNITED STATES MAGISTRATE JUDGE