

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

ARTHUR L. DOOLITTLE

PLAINTIFF

V.

CASE NO. 4:09CV00602 BD

BLAKE ROBERSON, *et al.*

DEFENDANTS

ORDER

Plaintiff Arthur L. Doolittle has moved to set aside the order granting the Defendants' motion for partial summary judgment in this matter. (Docket entry #98) Plaintiff argues that he did not have an opportunity to respond to the Defendants' motion. Plaintiff's motion (#98) is DENIED.

In this case, the motion for partial summary judgment was filed on October 12, 2010. (#77) The Court ruled on the motion on December 1, 2010. (#89) Although Plaintiff filed two notices with the Court advising the Court that he had undergone major surgery, he did not provide a new address to the Court. (#83 and #84) Because no new address was provided, Plaintiff's mail was returned as "undeliverable." (#87)

The Court ruled on the Defendants' motion based on the information previously provided by Plaintiff. The Court thoroughly examined the Plaintiff's jail file and the records provided to the Court. Based upon that information, the Court ruled in favor of the Defendants in their motion for partial summary judgment.

Accordingly, Plaintiff's motion to reconsider is denied, this 18th day of January,
2011.


UNITED STATES MAGISTRATE JUDGE