

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

ROBERT J. STORAY

PLAINTIFF

vs.

4:09CV00788-WRW

**CITY OF LITTLE ROCK, ARKANSAS
OFFICER CHAD O’KELLEY, OFFICER
SPENCER SMITH, AND SERGEANT
ASHLEY HELTON**

DEFENDANTS

ORDER

Pending is Separate Defendants’ Motion to Dismiss Officer Chad O’Kelley, Officer Spencer Smith, and Sergeant Ashley Helton (Doc. No. 40). Although Plaintiff has been ordered repeatedly to state the capacity in which he intends to sue Separate Defendants Officers Chad O’Kelley and Spencer Smith, and Sergeant Ashley Helton, he has never done so, and he also has not responded to Defendants’ Motion to Dismiss.¹ Defendants’ motion is GRANTED.

IT IS SO ORDERED this 8th day of April, 2010.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹See Doc. Nos. 43, 47.