

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

ROSE K. TUCKER

PLAINTIFF

v.

No. 4:10CV00400 JLH

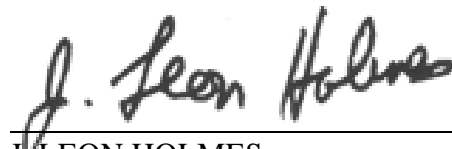
BRIARWOOD NURSING AND
REHABILITATION CENTER, INC.

DEFENDANT

ORDER

On September 22, 2011, the defendant filed a motion for summary judgment. The plaintiff did not respond. On October 13, 2011, the Court entered an Order directing the plaintiff to respond on or before October 20, 2011, and giving notice that if no response was filed by that date the Court would assume that the motion for summary judgment was uncontested. No response has been filed. Therefore, the Court will view the motion for summary judgment as uncontested. It appears that the defendant has established a prima facie case of entitlement to summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. In the absence of any response, the motion for summary judgment is GRANTED. Document #43.

IT IS SO ORDERED this 24th day of October, 2011.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE