

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

**SANDRA BALDWIN**

**PLAINTIFF**

v.

**Case No. 4:12-cv-00357-KGB**

**SALINE RC OPERATIONS, LLC  
d/b/a FOUR SEASONS RESIDENTIAL  
CARE CENTER, MICHELE MOSELEY**

**DEFENDANTS**

**ORDER**

On September 3 and 6, 2013, the Court received correspondence from *pro se* plaintiff Sandra Baldwin. The Court will construe that correspondence as Ms. Baldwin's renewed motion to appoint counsel (Exhibit A) and motion for summary judgment against defendants Saline RC Operations, LLC, ("SRC") and Michelle Moseley (Exhibit B). For good cause shown, Ms. Baldwin's motion is granted in part and denied in part.

On September 6, 2013, the Court received a letter from Ms. Baldwin requesting help (Exhibit A). The Court construes Ms. Baldwin's letter as a renewed motion to appoint counsel. For good cause shown, Ms. Baldwin's renewed motion to appoint counsel is granted (Exhibit A). Prior to this letter, Ms. Baldwin had filed a motion to appoint counsel. United States District Court Judge Jay Moody denied that motion without prejudice (Dkt. No. 5). Since then, Ms. Baldwin spent time in a mental health facility (*see* Dkt. No. 27), prompting the Court to issue an order granting Ms. Baldwin's motion to stay on April 14, 2013 (Dkt. No. 33). Further, while the case was stayed, Ms. Baldwin gave counsel inconsistent instructions and was unable to assist counsel in responding to defendant's pending summary judgment motion (Dkt. No. 27). On August 8, 2013, the Court granted counsel's motion to withdraw after he lost contact with Ms. Baldwin (Dkt. No. 39). On August 20, 2013, the Court directed *pro se* plaintiff Sandra Baldwin

to notify the Court within 30 days of the entry of that Order of her intent to proceed *pro se* or to inform the Court of the identity of her new counsel (Dkt. No. 40). Ms. Baldwin has complied with the Court's August 20, 2013, Order by informing the Court of her intent to proceed *pro se*, and to comply with Local Rule 5.5(c)(2). The Court is aware that, while proceeding *pro se*, Ms. Baldwin has made an effort to find an attorney to represent her in this case. For these reasons, the Court finds it necessary to appoint counsel to represent Ms. Baldwin. Pursuant to Local Rule 83.7, in those civil cases in which the Court deems it necessary to appoint counsel to represent a party proceeding *in forma pauperis* (28 U.S.C. § 1915), such appointment shall be accomplished by random selection from a list of all actively practicing attorneys enrolled in the District in which the case is pending. Edward T. Oglesby, of the Kutak Rock LLP firm, 124 West Capitol Avenue, Suite 2000, Little Rock, Arkansas, 72201-3409, telephone number (501) 975-3127, is hereby appointed to represent plaintiff Ms. Baldwin in all further proceedings.

On September 3, 2013, the Court received a letter from Ms. Baldwin requesting "judgment summary on the basis defendants' discovery meeting alleged" (Exhibit B). The Court construes Ms. Baldwin's letter as a motion for summary judgment. Ms. Baldwin's motion for summary judgment is denied (Exhibit B). Ms. Baldwin's motion for summary judgment fails to comply with Rule 56 of the Federal Rules of Civil Procedures. Furthermore, Ms. Baldwin's motion for summary judgment fails to comply with Local Rule 7.2, which requires that all motions be accompanied by a brief consisting of a concise statement of relevant facts and applicable law, that the documents be filed with the Clerk of the Court, and that copies be served on all other parties affected by the motion. Lastly, Ms. Baldwin's motion for summary judgment also fails to comply with Local Rule 56.1, which requires the filing of a short and concise statement of the material facts as to which the moving party contends there is no genuine dispute

to be tried. For these reasons, Ms. Baldwin's motion for summary judgment against defendants is hereby denied (Exhibit B).

IT IS THEREFORE ORDERED that Ms. Baldwin's renewed motion for appointment of counsel is hereby granted (Exhibit A). Mr. Oglesby, of the Kutak Rock LLP firm, 124 West Capitol Avenue, Suite 2000, Little Rock, Arkansas, 72201-3409, telephone number (501) 371-0808, is hereby appointed to represent Ms. Baldwin. Ms. Baldwin's motion for summary judgment is hereby denied. The Clerk of the Court is directed to send Ms. Baldwin and counsel *via certified mail* a copy of this Order and a copy of Local Rule 83.7.

SO ORDERED this 10th day of September, 2013.



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KRISTINE G. BAKER  
UNITED STATES DISTRICT JUDGE

CASE # 4:12-cv-10357-RGB

Exhibit A

Judge Baller

Good Day. I was just thinking. Since I'm representing myself during this case. Does that automatically make me a loser. I understand your times valuable. but for three years I've kept quite. Just because I can't obtain a lawyer pro bono. I am in a bad situation knowingly. But I've heard all great things about you. Please research my case and help me. The truth is never told in the form of a fib.

501-266-8171  
9/1/13

Sandra Baldwin

Sandra Baldwin  
CASE NO: 4:12-cv-00357 - KEB

Exhibit B

Due to a lengthy Recovery Process. I beg the courts for pardon. This is a painstaking moment in my life.

\* Pursuant Local Rules

vs Sandra Baldwin

- Request For Judgment Summary on the basis of defendant's discovery meeting alleged.

1/ obtain an Associate Degree of Business Technology. Currently Phi Beta Lambda Society. Certified Nurses Diploma. MHPP Certification, CPR w Medical terminology. Presently enrolling in Pre Social Science M.P.A. course at Harding University in Searcy, AR 72143

Thank you In Advance,  
Sandra Baldwin