

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

**SAM EDWARD THURMOND, SR., ADC #127149;
KHALAN ELLINGTON, ADC #655082;
RASHAN DIXON, ADC #108165;
BOBBY RAY WYLES, JR., ADC #149401;
TERRY DON BEAVER, ADC #657603;
JEREMY TODD HALEY**

PLAINTIFFS

v.

**CASE NO. 4:17-CV-00222 BSM
CASE NO. 4:17-CV-00223 BSM
CASE NO. 4:17-CV-00224 BSM
CASE NO. 4:17-CV-00248 BSM
CASE NO. 4:17-CV-00289 BSM
CASE NO. 4:17-CV-00368 BRW
CASE NO. 4:17-CV-00375 JM**

**TIM RYALS,
Sheriff, Faulkner County, et al.**

DEFENDANTS

ORDER

The proposed findings and recommendations [Doc. No. 35] submitted by United States Magistrate Judge Jerome T. Kearney recommending dismissal of plaintiff Rashan Dixon for failing to respond to discovery have been received. New counsel has been appointed since that time, however. *See* Doc. No. 45. Accordingly, the proposed findings and recommendations will not be adopted, and Dixon will not be dismissed. Instead, Dixon's new lawyers should have an opportunity to respond to discovery. The motion for extension of time [Doc. No. 44] to respond to the proposed findings and recommendations is denied as moot, and a new scheduling order will follow.

IT IS SO ORDERED this 26th day of September 2017.


UNITED STATES DISTRICT JUDGE