

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

THELMA WILLIAMS, JR.,
ADC #93197

Plaintiff,

vs.

SHEILA HILL, et al.,

Defendants.

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No. 5:07cv00299 SWW/BD

ORDER

By Order dated May 14, 2009 [doc.#141], the Court denied a motion of plaintiff Thelma Williams, Jr. for an order directing that certain Arkansas Department of Correction employees return legal materials that plaintiff claims were unlawfully taken from him. Plaintiff claimed he needs these materials to file objections to the Magistrate Judge's Recommended Disposition, but the Court determined that he did not sufficiently indicate how his ability to respond has been adversely impacted and the Court reviewed the Magistrate Judge's Recommended Disposition and determined that plaintiff was not precluded from filing appropriate objections.¹

The matter is now before the Court on motion of plaintiff for reconsideration [doc.#143]. The Court has carefully considered plaintiff's motion, including the attachments, and finds the motion must be denied. Plaintiff essentially restates his claims as were stated in his original motion and the Court again determines that plaintiff is not precluded from filing appropriate objections to the Magistrate Judge's Recommended Disposition. The Court notes as well that

¹ The Court noted that plaintiff was able to file his motion with this Court, despite his claim that his legal envelopes were taken from him, thus indicating that he is not precluded from filing appropriate pleadings. The Court noted as well that plaintiff's allegations concerning the confiscation of his legal materials were conclusory and didn't identify the circumstances surrounding any alleged unlawful taking.

plaintiff's allegations concerning his legal materials being unlawfully taken from him are the subject of a pending lawsuit, *Williams v. Manus, et al.*, No. 5:09cv00144 SWW/BD, and his claims of unlawful taking may be addressed in that proceeding.

IT IS THEREFORE ORDERED that plaintiff's motion for reconsideration [doc.#143] be and it hereby is denied.

Dated this 22nd day of May 2009.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE