

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

ELTON JOHNSON,  
ADC #113294

PLAINTIFF

v.

5:08CV00038HLJ

RICK TONEY, et al.

DEFENDANTS

ORDER

This matter is before the Court on the motion for summary judgment filed by defendants Anderson, Shaw, Mitchell, and Ferrell (DE #114). Plaintiff has filed a response to the motion (DE #127).

In reviewing the defendants' motion and plaintiff's response, the Court finds additional briefing would be helpful concerning plaintiff's allegation that defendant Mitchell denied him adequate medication for forty-five days in March, 2005, and also delayed plaintiff's opportunity to see a doctor. Therefore, the Court will direct the parties to file simultaneous addenda/briefs to their motion and response, within ten days of the date of this Order. Accordingly,

IT IS, THEREFORE, ORDERED that the parties shall file additional briefs and affidavits addressing plaintiff's allegation concerning the deprivation of medication and medical attention by defendant Mitchell in March, 2005, within ten days of the date of this Order.

IT IS SO ORDERED this 1<sup>st</sup> day of May, 2009.

*Henry L. Jones, Jr.*

United States Magistrate Judge