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

JAMES E. RICKS, JR.,
ADC #116011   PLAINTIFF

v.   5:08CV00055JTK

ED ADAMS, et al.   DEFENDANTS

ORDER

Plaintiff filed this case against Defendants on February 28, 2008, alleging violations of his constitutional rights while incarcerated at the W.B. Dub Brassell Detention Center. Summons was issued for Defendants King, Hurst, Royal and Randle on May 13, 2008, and Defendants filed their answer on July 1, 2008 (Doc. Nos. 13, 23).

On February 27, 2009, this Court granted the motion for summary judgment filed by Defendants Royal and Randle, and on Jamuary 22, 2010, the Court granted Defendant Hurst's summary judgment motion (Doc. Nos. 78, 121). Defendant King is the only remaining Defendant in this case.

On June 9, 2009, this Court received a notice from Defendant King's counsel that Defendant King resigned his position at the Detention Center, joined the United States Army, and was currently living and undergoing military training in Arizona. Pursuant to Defendant's training schedule, Defendant King requested a temporary suspension of pending judicial proceedings, pursuant to the Servicemembers Civil Relief Act of 2003, 50 App. U.S.C. § 501 et seq. By Order dated July 23, 2009, this Court granted Defendant King's request for a stay of the proceedings against him (Doc. No. 87).

The Court has since corresponded with Defendant's attorney, who states that Defendant is currently deployed overseas and that his whereabouts are unknown. In light of these facts, the Court finds that this action should be Administratively Closed, pending Defendant King's release from his military duties and/or his ability to attend a trial in this District. Accordingly,

IT IS, THEREFORE, ORDERED that this action is Administratively Closed. Plaintiff may file a motion to re-open this action upon information concerning Defendant King's ability to attend a trial in this District.

IT IS SO ORDERED this 16th day of August, 2010.

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UNITED STATES MAGISTRATE JUDGE