

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

EDDIE BRILEY,
ADC #116921

PLAINTIFF

v.

5:09-cv-00174-BSM-JTK

C. FORD, et al.

DEFENDANTS

ORDER

This matter is set for an Evidentiary Hearing on November 22, 2010 (Doc. No. 21). By Order dated November 5, 2010, this Court directed the attendance of Plaintiff and several requested witnesses at the hearing, and also directed the United States Marshal to issue a subpoena for witness Gary McNeill (Doc. No. 50). In scheduling this case for an Evidentiary Hearing, the Court relied on the docket sheet which reflected no jury demand by either party. However, the Court recently discovered that Plaintiff timely requested a jury trial on July 1, 2009 (Doc. No. 5). Therefore, the November 22, 2010 Evidentiary Hearing shall be continued, and the November 5, 2010 witness Order shall be cancelled. Accordingly,

IT IS, THEREFORE, ORDERED that the November 22, 2010 Evidentiary Hearing in this matter is CONTINUED.

IT IS FURTHER ORDERED that the November 5, 2010 Witness Order is CANCELLED.

The Clerk of the Court is directed to correct the docket sheet in this case to reflect a jury demand by the Plaintiff.

IT IS SO ORDERED this 15th day of November, 2010.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE