

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

**DENNIS JAMES SMITH, SR.
ADC #120631**

PLAINTIFF

5:09CV00307 BSM/HLJ

GEORGE EDWARD BARNES, SR.

DEFENDANT

ORDER

Plaintiff Dennis James Smith moves for reconsideration (Doc. No. 21) of the December 22, 2009, order and judgment (Doc. Nos. 14, 15) dismissing this case with prejudice for failure to state a claim. To the extent that Smith's motion can be construed as a motion for reconsideration pursuant to Federal Rule of Civil Procedure 59(e) or 60, it is denied.

IT IS SO ORDERED this 22nd day of April, 2010.


UNITED STATES DISTRICT JUDGE