

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**MYRA EDWARDS**

**PLAINTIFF**

**V.**

**5:10CV00195 JMM**

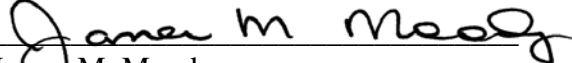
**ARKANSAS DEPARTMENT OF CORRECTION  
and BOB PARKER, individually and in  
his official capacity**

**DEFENDANTS**

**ORDER**

Pending is the Defendants' Motion to Dismiss. (Docket # 14). Defendants have now filed a motion for summary judgment containing the arguments set forth in their motion to dismiss, in addition to factual arguments and evidence supporting their contention that they are entitled to judgment as a matter of law. In response to the pending motion for summary judgment, Plaintiff has clarified and conceded some claims and has submitted evidence to rebut Defendants' arguments. As the parties have now presented matters outside the pleadings in support of their arguments, the Court will consider the parties arguments and evidence on the motion for summary judgment by separate order. Accordingly, Defendants' motion to dismiss is denied as moot.

IT IS SO ORDERED this 28<sup>th</sup> day of July, 2011.

  
James M. Moody  
United States District Judge