

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

**ROBERT SOTO, ADC #128324**

**PLAINTIFF**

**V.**

**CASE NO. 5:10CV00212 JMM**

**RAY HOBBS, ET AL.**


**DEFENDANT**

**ORDER**

For good cause shown, Defendant Nicholas Dial's Motion for Reconsideration to consider his objections to the Magistrate Judge's Partial Report and Recommendation is granted (#92).

After carefully considering Defendant Dial's objections, the transcript of the pre-jury hearing held on September 16, 2011, and the Magistrate Judge's October 27, 2011 Partial Report and Recommendation, and after making a *de novo* review of the record, the Court affirms its November 07, 2011 decision to adopt the Magistrate Judge's Partial Report and Recommendation which denied Defendant Dial's Motion for Summary Judgment.

IT IS SO ORDERED THIS 22 day of November, 2011.

  
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James M. Moody  
United States District Judge