

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

WAYNE FREDERICK POLAND,
ADC #145512

PLAINTIFF

v.

No. 5:10CV00263 JLH-JTK

DONNY FORD, et al.

DEFENDANTS

ORDER

This matter is before the Court on Plaintiff's Motion for Reconsideration (Doc. No. 35) of this Court's February 8, 2011 Order dismissing Defendants Steward and Wheeler (Doc. No. 31). In support of the Motion, Plaintiff states due to difficulties in obtaining law library passes, he did not timely file his Objections to the January 19, 2011 Recommendation that Defendants be dismissed, until February 8, 2011, the date on which the Defendants were dismissed. In his Objections, Plaintiff further sets forth his allegations against Defendant Timothy Steward.

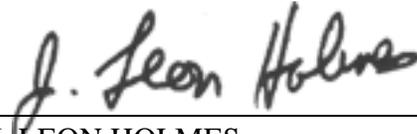
Having reviewed Plaintiff's Objections, the Court finds the Motion for Reconsideration should be GRANTED with respect to Defendant Steward, that Steward should be reinstated as a Defendant, and that Plaintiff's Objections should be considered as an Amended Complaint against him. Based on the allegations set forth therein, the Court finds that summons and service should be issued for Defendant Steward. Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff's Motion for Reconsideration (Doc. No. 35) is hereby GRANTED and that Timothy Steward shall be reinstated as a Defendant in this action.

IT IS FURTHER ORDERED that Plaintiff's February 11, 2011 Objections (Doc. No. 33) shall be filed as an Amended Complaint against Defendant Timothy Steward. The Clerk shall issue summons for the Defendant, and the United States Marshal is directed to serve a copy of the Original

and Amended Complaints (Doc. Nos. 1, 33) and summons on the Defendant without prepayment of fees and costs or security therefore.

IT IS SO ORDERED this 24th day of February, 2011.

A handwritten signature in black ink that reads "J. Leon Holmes". The signature is written in a cursive style with a horizontal line underneath it.

J. LEON HOLMES
UNITED STATES DISTRICT JUDGE