

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

YEVONNE VAN HORN

PLAINTIFF

v.

No. 5:13-cv-74-DPM

MARK MARTIN, In his official capacity as
Arkansas Secretary of State, and
DARRELL S. HEDDEN, Individually and in his
official capacity as Chief of Police for the
State Capitol Police

DEFENDANTS

1. The Scheduling Order is suspended and the trial is canceled. Defendants' global motion for summary judgment, *No. 45*, is denied without prejudice. Based on the undisputed material facts about Van Horn's bankruptcy, she can't proceed. There now seems to be a standing issue, which the Court must sort out because it goes to jurisdiction. *See generally, United States ex rel Gerbert v. Transport Administrative Services*, 260 F.3d 909 (8th Cir. 2001) and *Equal Employment Opportunity Commission v. CRST Van Expedited, Inc.*, 679 F.3d 657, 679 n. 14 (8th Cir. 2012). And if Van Horn has standing, she's judicially estopped. An explanatory Order will issue.

2. The joint motion to extend time, *No. 51*, is denied as moot.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

6 October 2014