

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

PATRICK L. SHERMAN,  
ADC #96304

PLAINTIFF

v.

No. 5:13-cv-346-DPM

JEFFERSON COUNTY, ARKANSAS

DEFENDANT

ORDER

Post-judgment motions, *No 10 & 11*, granted as to conclusions of law and denied as to findings of fact. The constitutionality of the three-strikes provision is well-established. *Higgins v. Carpenter*, 258 F.3d 797, 799–801 (8th Cir. 2001) (*per curiam*); *Pointer v. Wilkinson*, 502 F.3d 369, 377–78, n.9 (6th Cir. 2007). This is a matter of law, not fact. No hearing is needed, or required, to address this kind of legal issue. No findings of fact are called for. A Magistrate Judge may rule on non-dispositive legal issues. 28 U.S.C. § 636(b)(1); Local Rule 72.1.

So Ordered.

*D.P. Marshall Jr.*

D.P. Marshall Jr.  
United States District Judge

7 January 2014