

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

TED HAMILTON

PLAINTIFF

v.

Civil No. 4:13-cv-4038

JAMES SINGLETON

DEFENDANTS

ORDER

For the reasons stated in the Memorandum Opinion of even date, Plaintiff's Motions for a Hearing (ECF Nos. 78, 79) are **DENIED**. Plaintiff's Second Motion for Summary Judgment (ECF No. 58) is **DENIED**. Defendant's Second Motion for Summary Judgment (ECF No. 54) is **GRANTED** in part and **DENIED** in part. Specifically, Plaintiff's claims relating to Defendant Singleton's duty to pay for Plaintiff's surgery after Plaintiff was released and Plaintiff's claim for injunctive relief are dismissed with prejudice. Plaintiff's claim that Defendant Singleton's action of releasing him rather than paying for his hand surgery was deliberately indifferent to Plaintiff and Plaintiff's claims for damages remain and will proceed to trial before a jury.

IT IS SO ORDERED this 5th day of March 2014.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U. S. MAGISTRATE JUDGE