

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
PADUCAH DIVISION
CIVIL NO. 5:11-cv-00081**

RAYFORD E. POOLE

PLAINTIFF

v.

PHILLIP PARKER

DEFENDANT

MEMORANDUM OPINION AND ORDER

Plaintiff has filed a motion for reconsideration of this Court's Memorandum Opinion and Order, both dated July 1, 2011, (DN 6, 7) dismissing this case. Plaintiff states that he paid the required filing fee and therefore should not have had the case dismissed for failure to prosecute. This Court has verified that the filing fee was paid and that an internal error prevented the payment from reflecting on the docket sheet. Accordingly, dismissing the case was an error of law and a manifest injustice. The motion for reconsideration is GRANTED (DN 8). The Memorandum Opinion and Order dismissing the case are hereby VACATED (DN 6 and 7). The Court will conduct an initial review of the habeas corpus action.

The image shows a handwritten signature in black ink that reads "Thomas B. Russell". The signature is written in a cursive style and is positioned over a circular seal of the United States District Court for the Western District of Kentucky. The seal features an eagle with wings spread, perched on a shield, with the text "UNITED STATES DISTRICT COURT" and "WESTERN DISTRICT OF KENTUCKY" around the perimeter.

Thomas B. Russell
Chief Judge, U.S. District Court

July 18, 2011