

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

MATTHEW HUSKEY

PLAINTIFF

v.

No. 1:17CV140-JMV

MARSHALL FISHER, ET AL.

DEFENDANTS

ORDER SETTING BRIEFING SCHEDULE

This matter comes before the court on remand from the Fifth Circuit Court of Appeals for a determination of the timeliness of the plaintiff's motion [140] under Fed. R. Civ. P. 59(e) to alter or amend judgment, which could ultimately bear on the Fifth Circuit's determination of the timeliness of the plaintiff's notice of appeal [151]. The parties have conducted discovery, conferred, and held a telephone conference with the court to narrow the issues and discuss a briefing schedule. During the conference, the parties agreed to the schedule below:

- (1) **The deadline for the plaintiff to submit his brief to the court is February 15, 2022;**
- (2) **The deadline the defendants to respond to the plaintiff's brief is 30 days from the date the plaintiff's brief is filed; and**
- (3) **The deadline for the plaintiff to submit a reply brief is 14 days from the date the defendants' response brief is filed.**

An evidentiary hearing may be set if the court deems one necessary.

SO ORDERED, this, the 20th day of January, 2022.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE