

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

STEPHEN J. JARRELL,	:	
Plaintiff,	:	Case No. 3:11cv00434
vs.	:	District Judge Timothy S. Black Chief Magistrate Judge Sharon L. Ovington
NATIONAL PERSONNEL RECORDS CENTER, et al.,	:	
Defendants.	:	

PRO SE NOTICE OF MOTION FOR SUMMARY JUDGMENT

You are hereby notified that the Defendant National Personnel Records Center filed a Motion for Summary Judgment on April 5, 2013. (Doc. #22). You should receive a copy of the Motion directly from Defendant.

Under the rules of this Court (S.D. Ohio Civ. R. 7.2) you are allowed twenty-one days from the date of service (April 5, 2013) within which to file a response to this Motion, plus an extra three days if the Motion was served on you by mail. Your response must be filed with the Court not later than **April 29, 2013**.

Under Fed. R. Civ. Proc. 56, a party faced with a Motion for Summary Judgment cannot merely rely on the claims he or she has made in the Complaint but must respond with evidence showing that there is a genuine issue of material fact for trial in the case. The evidence must be of the same quality as would be admissible at trial in the case.

If you fail to respond to the Motion for Summary Judgment not later than **April 29, 2013**, your case may be dismissed on the merits or for failure to prosecute.

April 8, 2013

s/Sharon L. Ovington
 Sharon L. Ovington
 Chief United States Magistrate Judge