

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STEWART C. SMITH	:	CIVIL ACTION NO. 1:09-CV-0889
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
OFFICER JOHN HANUSKA and DAVID BIXLER	:	
	:	
Defendants	:	

ORDER

AND NOW, this 19th day of July, 2011, upon consideration of the motion for summary judgment (Doc. 132) filed by plaintiff Stewart C. Smith (“Smith”), on July 15, 2011, and it appearing that the dispositive motion deadline in the above-captioned case was December 3, 2010, (see Doc. 42), and it further appearing that Smith filed three motions for summary judgment prior to the deadline that the court ultimately denied, (see Docs. 41, 61, 73),¹ and that the court has since denied three motions for reconsideration of the denial of Smith’s motions for summary

¹ On February 3, 2011, Magistrate Judge Thomas M. Blewitt issued a report recommending that the court deny Smith’s motions for summary judgment and grant in part and deny in part the defendants’ motion for summary judgment. (Doc. 87). This court adopted in part and rejected in part the report and recommendation and denied Smith’s motions for summary judgment on March 17, 2011. (Doc. 92). Since the court’s March 17, 2011 Memorandum and Order, Smith has filed three motions for reconsideration of the denial of his motions for summary judgment. (See Docs. 98, 109, 113, 123).

judgment, (see Docs. 100, 116, 126),² and the court finding that it possess the inherent power “to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants,” Landis v. N. Am. Co., 299 U.S. 248, 254 (1936); see also Gutierrez v. Johnson & Johnson, 523 F.3d 187, 193 n.5 (3d Cir. 2008), and the court concluding that there is no reason to consider Smith’s out-of-time motion, particularly in light of the court’s previous consideration of Smiths timely motions for summary judgment, it is hereby ORDERED that the motion (Doc. 132) for summary judgment is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

² In the court’s order denying Smith’s third motion for reconsideration, the court informed Smith that it would not entertain, and would strike from the record, any new motions for reconsideration of the denial of his motions for summary judgment. (Doc. 126).