

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**RONALD DUHE, individually;
MARK HOLICK, individually and
SPIRIT ONE CHRISTIAN CENTER, INC.,
a Kansas Non-Profit Corporation**

PLAINTIFFS

v.

Case No. 4:14-cv-580-KGB

**THE CITY OF LITTLE ROCK, ARKANSAS,
an Arkansas municipal corporation; SIDNEY
ALLEN, in an individual capacity and PULASKI COUNTY
an Arkansas political subdivision**

DEFENDANTS

ORDER

Plaintiffs Ronald Duhe, individually; Mark Holick, individually; and Spirit One Christian Ministries, Inc. (“Spirit One”) filed this action pursuant to 42 U.S.C. § 1983 alleging violations of their First, Fourth, and Fourteenth Amendment rights. Before this Court are three motions for summary judgment. First is the second motion for partial summary judgment filed by plaintiffs (Dkt. No. 100). This Court denied as moot plaintiffs’ first motion for partial summary judgment after plaintiffs filed their amended complaint (Dkt. Nos. 56, 58). Defendants Sidney Allen and the City of Little Rock, Arkansas (the “City”), filed a response to the second motion (Dkt. No. 124). Defendant Pulaski County, Arkansas (the “County”), also filed a response (Dkt. No. 121). Plaintiffs have filed replies to each of these responses (Dkt. Nos. 142, 143, 144). For reasons that will be set out in a detailed separate Order, the Court denies second motion for partial summary judgment filed by plaintiffs (Dkt. No. 100).

Second is Lt. Allen and the City’s motion for summary judgment (Dkt. No. 134). Plaintiffs filed a response to that motion (Dkt. No. 146). Lt. Allen and the City filed a reply that included additional deposition transcripts and, according to the plaintiffs, raised certain issues for the first

time (Dkt. No. 153). Therefore, this Court granted plaintiffs' motion to file a sur-reply, and plaintiffs have now filed their sur-reply (Dkt. Nos. 156, 158, 160). Lt. Allen and the City have filed a response to the plaintiffs' sur-reply (Dkt. No. 161). For reasons that will be set out in a detailed separate Order, the Court grants Lt. Allen and the City's motion for summary judgment (Dkt. No. 134).

Third is the County's motion for summary judgment (Dkt. No. 138). Plaintiffs filed a response to the County's motion (Dkt. No. 149). The County filed a reply to the plaintiffs' response (Dkt. No. 152). For reasons that will be set out in a detailed separate Order, the Court grants the County's motion for summary judgment (Dkt. No. 138).

The Court denies as moot all pending motions *in limine* (Dkt. Nos. 165, 166, 167, 168, 169, 170, 171, 172, 173).

The Court will enter a separate judgment.

It is so ordered this 31st day of March, 2017.



Kristine G. Baker
United States District Judge