

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

ROY L. DENTON)	
)	
Plaintiff)	Case No. 1:07-cv-211
)	
v.)	JURY DEMAND
)	
STEVE RIEVLEY)	Collier/Carter
)	
Defendant)	

**DEFENDANT STEVE RIEVLEY’S RESPONSE TO
PLAINTIFF’S MOTION TO ALTER OR AMEND JUDGMENT**

Comes the Defendant, Steve Rievley, in his individual capacity, (herein “Officer Rievley”), through counsel, and hereby files his Response to Plaintiff’s Motion to Alter or Amend Judgment. Officer Rievley reasserts that partial summary judgment in favor of the Plaintiff is not appropriate pursuant to Rule 56 of the *Federal Rules of Civil Procedure*. Officer Rievley will also file his Motion for Summary Judgment as to all issues in this case pursuant to the Scheduling Order entered in this case. For cause, Officer Rievley relies upon his Response to Plaintiff’s Motion for Partial Summary Judgment previously filed in this case (Court Doc. 29), his Response to Plaintiff’s First Request for Admissions (Court Doc. 30), and the Memorandum and Opinion on the Plaintiff’s Motion for Partial Summary Judgment (Court Doc. 32). Accordingly, Officer Rievley respectfully submits that the Plaintiff’s Motion to Alter or Amend this Court’s Order denying his Motion for Partial Summary Judgment should be denied.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of August, 2008, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

Robinson, Smith & Wells

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