

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

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|----------------------|---|-----------------------------|
| 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 REQUEST FOR *EXPEDITED* EVIDENTIARY HEARING *and* REQUEST
TO GRANT OR DENY PLAINTIFF’S MOTION JNOV**

Comes the Defendant, Steve Rievley, in his individual capacity, (herein “Officer Rievley”), through counsel, and hereby files his Response to Plaintiff’s Request for *Expedited* Evidentiary Hearing *and* Request to Grant or Deny Plaintiff’s Motion JNOV. Officer Rievley respectfully requests that this Court deny the Plaintiff’s Requests. For cause, Officer Rievley would show the Court the following:

First, Officer Rievley respectfully submits that Plaintiff is not entitled to an evidentiary hearing on the “criminal allegations” made by the Plaintiff against Officer Rievley. Officer Rievley has not been charged with any crime nor has he had any criminal charges filed against him.

Second, Officer Rievley incorporates his Response to the Plaintiff’s Motion for Order of Contempt Against the Defendant Steve Rievley, In the Alternative, Motion for Extraordinary Relief (Court File # 158) and his Response to Plaintiff’s Motion for Judgment Non Obstante Veredicto (JNOV) or In the Alternative, Motion for a New Trial (Court File # 161). Accordingly, he requests

that this Court deny the Plaintiff's Motions for Order of Contempt Against the Defendant Steve Rievley, In the Alternative, Motion for Extraordinary Relief (Court File # 152) and Motion for Judgment Non Obstante Veredicto (JNOV) or In the Alternative, Motion for a New Trial (Court File # 153).

Finally, it is within this Court's purview when to decide motions filed with this Court, and Officer Rievley takes no position on the time frame in which this Court renders its orders.

Respectfully submitted,
ROBINSON, SMITH & WELLS
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By: s /Elizabeth Roderick
Ronald D. Wells, BPR# 011185
Elizabeth Roderick, BPR #022762
Attorney for Defendant, Steve Rievley

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of January, 2011, 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

By: /s Elizabeth Roderick

cc: Roy L. Denton
120 6th Avenue
Dayton, TN 37321