

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

DAVID WAYNE BOYLES

PLAINTIFF

V.

2:06CV00176 WRW/HDY

RAY HOBBS *et al.*

DEFENDANTS

**ORDER**

Pending is Plaintiff's Motion for Default (Doc. No. 79) with respect to Defendant Shaconda Brown.

By Order dated September 21, 2006, a copy of Plaintiff's complaint was issued to Defendant Brown. Service was returned, executed, on October 31, 2006.<sup>1</sup> As of this date, Defendant has not filed an answer to Plaintiff's complaint. Based on such, Plaintiff now asks for the entry of default (by motion and affidavit) against Defendant, pursuant to Fed. R. Civ. P. 55.

According to Fed. R. Civ. P. 55(a), entry of default is appropriate when a party fails to plead or otherwise defend, and that fact is made to appear by affidavit or otherwise. In light of Plaintiff's motion and affidavit, the Court directs entry of default against Defendant Brown. The Court also directs Defendant Brown to file a response, within fifteen days of the date of this Order, to Plaintiff's request for the entry of a default judgment against her. Accordingly,

Accordingly, Plaintiff's Motion for Default (Doc. No. 79) is GRANTED. The Clerk of the Court is directed to enter the party's default. Defendant Brown must respond to Plaintiff's request for the entry of a default judgment against her, within fifteen days of the date of this Order.

The Clerk of the Court is directed to forward a copy of this Order to Defendant Brown at the address indicated on the Marshal's return of service (Doc. No. 29).

IT IS SO ORDERED this 2nd day of September, 2008.

/s/ Wm. R. Wilson, Jr.  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

---

<sup>1</sup>Doc. No. 29.