

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

DONTEL THOMAS and DALTON JACKSON,
on behalf of Themselves and all Others Similarly
Situated

PLAINTIFFS

v.

No. 2:15-cv-95-DPM

NEAL BYRD, in his Official Capacity; JOHN
THOMAS, individually and in his Official
capacity as an employee of City of Helena-West Helena;
and SENTENCING OPTIONS SPECIALISTS, INC.

DEFENDANTS

ORDER

Thomas's and Jackson's motion, *No. 20*, is partly granted and partly denied without prejudice. First, plaintiffs haven't confirmed with particularity that the summons and the complaint were mailed to Sentencing Options Specialists, Inc. *No. 20 at 1*; FED. R. CIV. P. 4(c)(1). Second, they haven't confirmed that Wagner is the registered agent for, or officer of, Sentencing Options. FED. R. CIV. P. 4(e)(1); ARK. R. CIV. P. 4(d)(5). Third, they must get a Clerk's default before seeking a default judgment. FED. R. CIV. P. 55(a). Because the consequences of a default judgment are so significant, a requesting plaintiff must turn square corners. The alternative request for an extension is granted. Thomas and Jackson may have until 29 January 2016 to

serve or re-serve the amended complaint and summons on Sentencing
Options Specialists, Inc.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

17 December 2015