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

OSCAR CASTRO-GOMEZ

v.

4:09CV00381-WRW

FAULKNER COUNTY, ARKANSAS, et al.

ORDER

Pending is Plaintiff's Motion for Default Judgment (Doc. No. 2). Defendants Karl Byrd, John Randall, and Bobby Brown have responded.¹ Also pending is Defendants Byrd, Randall, and Brown's Motion For Leave to File Answer Out of Time (Doc. No. 5).

Defendants Byrd, Randall and Brown filed their Motion for Leave to File Answer Out of Time two days after the answer was due. Defendants' Motion explained the delay in filing the answer. The delay does not appear to have been a willful violation of court rules. Because Defendants filed their Motion just two days after the answer was due, and because Defendants' failure to file did not appear to be an intentional delay, Defendants' Motion (Doc. No. 5) is GRANTED, and Plaintiff's Motion is DENIED as to Defendants Byrd, Randall, and Brown.

IT IS SO ORDERED this 27th day of July, 2009.

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

DEFENDANTS

PLAINTIFF

¹Doc. No. 4.