

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

WYNTER ADONNIS BOYD

PLAINTIFF

v.

No. 4:10CV01612 JLH

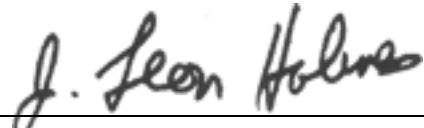
RAUSCH COLEMAN
PERFORMANCE GROUP, LLC

DEFENDANT

ORDER

On September 29, 2011, Rausch Coleman Performance Group, LLC, filed a motion to dismiss the complaint pursuant to Rule 37(d) of the Federal Rules of Civil Procedure because the plaintiff, Wynter Adonnis Boyd, failed to appear at her deposition despite proper notice. On September 30, 2011, Rausch Coleman also filed a motion for summary judgment. Boyd did not respond to either motion. On October 24, 2011, the Court entered an Order notifying Boyd that if she failed to respond to those two motions by the close of business on Monday, October 31, 2011, the Court would assume that she does not oppose the motions and would act accordingly. Boyd has not filed a response. Rausch Coleman has presented a prima facie case of entitlement to summary judgment. In the absence of any response, the motion is GRANTED. Document #27.

IT IS SO ORDERED this 1st day of November, 2011.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE