

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

**JAMIE SHAWN MCCALL
ADC #610019**

PLAINTIFF

V.

CASE NO. 4:10CV02069 BRW/BD

RICHARDS, et. al

DEFENDANTS

ORDER

On February 24, 2011, Plaintiff Jamie Shawn McCall filed a motion for default judgment against all Defendants in this lawsuit. (Docket entry #21) The motion is frivolous.

The Court ordered service of process for Defendants Richards, Reed, Parker, Griffin, and Lester on February 18, 2011. (#15) Summonses were issued for these Defendants on February 22, 2011. On February 24, 2011, the Court issued a recommendation that claims against Defendant Marvel be dismissed. (#17)

Defendants Richards, Reed, Parker, Griffin, and Lester likely had not been served with the Complaint when the motion for default judgment was filed. In any event, their time to respond to the Complaint had not expired when Mr. McCall filed for a default judgment. Defendants are not in default.

The Motion for Default Judgment (#21) is DENIED, this 25th day of February, 2011.

/s /Billy Roy Wilson
UNITED STATES DISTRICT JUDGE