

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

TIMOTHY WATKINS

PLAINTIFF

v.

No. 4:12-cv-555-DPM

BILLY'S TRUCKING

DEFENDANT

ORDER

Watkins served Billy's Trucking with this lawsuit in March. *No* 28. Billy's Trucking had 21 days to respond to the complaint or seek an extension from this Court. FED. R. CIV. P. 12(a)(1)(A)(i). That deadline passed, with no word from Billy's Trucking, almost two months ago. Watkins now asks this Court for relief in the form of a hearing, sanctions, or default judgment. *No* 29.

The motion is granted in part and held in abeyance in part. The Court will hold a hearing on 1 August 2013 at 10:00 a.m. in Courtroom B155 of the Richard Sheppard Arnold United States District Court. Both parties must attend. The Court directs the Clerk to enter a default. FED R. CIV. P. 55(a). Billy's Trucking must come prepared to show good cause for setting aside the default, to explain why it failed to respond to Watkins's lawsuit on time, and why the Court should not enter a default judgment. FED R. CIV. P. 55(b)(2),

55(c), & 60(b).

Watkins also asks the Court to reconsider its dismissal of his claims against officer Smith. *No* 30. For the reasons previously stated, *No* 20, the motion is denied. The Court directs the Clerk to send a copy this Order via certified mail, with return receipt, to Billy's Trucking, P.O. Box 696, Hazen, AR, 72064-0696.

So Ordered.



D.P. Marshall Jr.
United States District Judge



17 July 2013