

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

EDWARD CHARLES WRIGHT
ADC #083302

PETITIONER

vs.

Civil Case No. 5:10CV00159-JMM-JTK

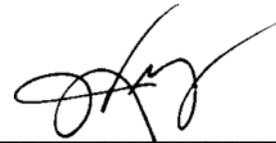
RAY HOBBS
Director, Arkansas Dept of Correction

RESPONDENT

ORDER

Pending are Petitioner's Motions for Default Judgment. (Doc. Nos. 18, 19, 21, 22) He asserts that he is entitled to relief because Respondent failed to “defend [within] thirty days.”¹ (Doc. No. 18, 19, 21) The record reflects that Respondent promptly filed his response within twenty days of service, *see* Doc. No. 6. Furthermore, default judgment is disfavored in habeas cases and may not be available at all. *See White v. Hobbs*, 2011 WL 2110424 at *1 (E.D. Ark. May 19, 2011) (“Default judgment is an extreme sanction that is disfavored in habeas cases, and some courts have even held that it is unavailable.”) (citing *Lemons v. O’Sullivan*, 54 F.3d 357, 364-65 (7th Cir. 1995); *Gordon v. Duran*, 895 F.2d 610, 612 (9th Cir. 1990); *Allen v. Perini*, 424 F.2d 134, 138 (6th Cir. 1970)). Accordingly, Petitioner’s Motions for Default Judgment, Doc. Nos. 18, 19, 21, 22, are DENIED.

SO ORDERED this 16th day of September, 2011.



UNITED STATES MAGISTRATE JUDGE

¹ The Court informed Petitioner on March 15, 2011, of his right to reply, within thirty (30) days, to any argument in Respondent’s response. (Doc. No. 11) He chose not to file a reply.