

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

BILLY CHARLES AARON,
ADC #110649

PETITIONER

v.

No. 5:15-cv-215-DPM

WENDY KELLEY, Director, Arkansas
Department of Correction; and
STATE OF ARKANSAS

RESPONDENTS

ORDER

1. The Court of Appeals has determined that Aaron's notice of appeal, *No* 14-1, was untimely. *No* 22. That Court has also requested a merits ruling on Aaron's motion to extend his time to file a notice, *No* 20, which this Court previously denied without prejudice as moot. *No* 21.

2. To get an extension, Aaron must show excusable neglect or good cause for not filing a timely notice of appeal. FED. R. APP. P. 4(a)(5)(A)(ii). He hasn't. Aaron hasn't explained why his initial notice wasn't filed on time. The docket materials don't provide an explanation either. Aaron's motion for an extension, *No* 20, is therefore denied.

3. The Court directs the Clerk to send a copy of this Order to the Court of Appeals.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

29 December 2015