

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

BOBBY DWAYNE WILLIAMS

PLAINTIFF

v.

Case No. 2:13-CV-02176

RON BROWN, Sheriff, Crawford County Detention  
Center; and VERN CUPP, Lt., Crawford County  
Detention Center

DEFENDANTS

**ORDER**

Currently before the Court is Plaintiff's motion for default judgment (Doc. 18) and Defendants' response (Doc. 19).

The record reflects that both Defendants were served on November 7, 2013, making their responsive pleading due November 29, 2013. Defendants timely filed a motion to dismiss for failure to state a claim (Doc. 12) on November 12, 2013. That motion remains pending for consideration by the Court. Because Defendants timely responded to Plaintiff's complaint, entry of default judgment is not appropriate.

IT IS THEREFORE ORDERED that Plaintiff's motion for default judgment (Doc. 18) is DENIED.

IT IS SO ORDERED this 10th day of February, 2014.

*/s/ P. K. Holmes, III*

P.K. HOLMES, III  
CHIEF U.S. DISTRICT JUDGE