

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

VINCENT COOPER

PLAINTIFF

v.

Case No. 4:14-CV-04059

CARLTON JONES

DEFENDANTS

**ORDER**

Before the Court is Plaintiff Vincent Cooper's request to reopen his case. (ECF No. 35). The Defendant Carlton Jones has not responded. Cooper requests that his case be reopened so that he can file a notice of appeal.

The Federal Rules of Appellate Procedure establish the deadlines that govern appeals. *See* Fed. R. App. P. 1(a)(1). When a party is properly notified of a judgment, Rule 4(a)(1)(A) provides the party with 30 days to appeal. Fed. R. App. P. 4(a)(1)(A). Pursuant to Rule 4(a)(5), a movant may request a filing extension of up to 30 days upon a showing of "excusable neglect or good cause," Fed. R. App. P. 4(a)(5)(A)(ii), but must do so within the 30 days following the initial 30-day appeal period. Fed. R. App. P. 4(a)(5)(A)(i). This Court adopted the Report and Recommendation dismissing this case on March 3, 2015. The time to file his notice of appeal expired 30 days later, on April 3, 2015. He moved to extend his time to file a notice of appeal on April 23, 2015, within 30 days of the expiration of the initial 30-day period expired. (ECF No. 35). Cooper has shown good cause for failing to comply with the deadline, his inability to obtain the proper appeal forms. Therefore, the Court will extend his time to file a notice of appeal.

Accordingly, Cooper's Motion to Reopen his Case is GRANTED. He has fourteen (14) days from the entry of this Order to file his notice of appeal.

**IT IS SO ORDERED**, this 12th day of May, 2015.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge