

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

BOBBY FRANKLIN MCREYNOLDS

PLAINTIFF

v.

Civil No. 4:16-cv-04122

PRESTON GLENN, Jail
Administrator, Nevada County Jail;
CHRISTOPHER WATTINGNY,
Doctor, Wadley Medical Center;
WHATTLEY MEDICAL CENTER;
DR. ELKINS, Nevada County Jail;
And SHERIFF DANNY MARTIN,
Nevada County Jail

DEFENDANTS

ORDER

Plaintiff Bobby Franklin McReynolds filed his complaint in this matter *pro se* on December 8, 2016. ECF No. 2. Before the Court are the following motions: 1) Plaintiff's Motion for Default Judgment (ECF No. 23) against Defendant Dr. Christopher Wattingny; Plaintiff's Motion to Compel (ECF No. 27) Defendant Wattingny to file an answer; and 3) Plaintiff's Motion for Extension of Time to Provide Service Address (ECF No. 42) for Defendant Wattingny.

On December 21, 2016, the Court ordered service on Defendant Dr. Christopher Wattingny at the Nevada County Jail, in Prescott, Arkansas. ECF No. 8. The Court issued this order pursuant to Plaintiff's representation in his Complaint that Defendant Wattingny was associated Nevada County or Wadley Medical Center in Hope, Arkansas. ECF No. 2. To date, Defendant Wattingny has not been served as the summons and Complaint were delivered first to Nevada County Jail and then to Wadley Medical Center in Hope, Arkansas, where someone other than Defendant Wattingny signed for the Complaint and Summons. ECF No. 15.

On February 21, 2017, the Court entered an Order to Show Cause (ECF No. 24) giving Plaintiff until March 8, 2017, to show cause as to why his case against Defendant Wattingny should not be dismissed based on his failure to provide the Court with an accurate address for service. On March 3, 2017, Plaintiff filed a Motion for Extension of Time to File a Response to this Court's Order to Show Cause. ECF No. 28. The Court granted Plaintiff's request giving him until March 31, 2017, to provide the Court with the address for service for Defendant Wattingny. ECF No. 29.

On March 22, 2017, Plaintiff filed a second response to the Court's Order to Show Cause (ECF No. 41) indicating he had sent a letter to the Arkansas State Medical Board requesting Defendant Wattingny's address.¹ That same day Plaintiff filed a second Motion for Extension of Time to obtain the service address for Defendant Wattingny.² ECF No. 42.

Defendant Wattingny has not been served in this matter. Accordingly, Plaintiff's Motion for Default Judgment (ECF No. 23) and Motion to Compel (ECF No. 27) are **DENIED**.

Plaintiff's Motion to Extend Time to Locate Service Address (ECF No. 42) is **GRANTED**. Plaintiff has until **April 28, 2017**, to provide the Court with an address for service for Defendant Wattingny. Failure to provide the address by such time may result in dismissal of this lawsuit against Defendant Wattingny.

IT IS SO ORDERED this 28th day of March 2017.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE

¹ On March 28, 2017, Plaintiff filed a Supplement to his Response to the Court's Order to Show Cause (ECF No. 41) which appears to set forth allegations against Defendant Wattingny that have nothing to do with an address for service.

² Plaintiff also requests an extension of time to obtain the address for Defendant Elkins. Defendant Elkins filed his Answer (ECF No. 35) to Plaintiff's Amended Complaint on March 13, 2017. Therefore, Plaintiff's request as to Defendant Elkins is moot.