

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

ERIC WATKINS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. CIV-09-1381-C
	)	
CORRECTIONAL OFFICER	)	
DONNELLY, et al.,	)	
	)	
Defendants.	)	

ORDER

A number of objections and requests in this case have been filed. The Court has taken no action for a period of months due to the pending interlocutory appeals. The Tenth Circuit has dismissed the appeals as premature, and the Court rules on the following matters at issue:

1. Reports and Recommendations filed March 9 and March 14 (Dkt Nos. 54 & 56), have not been objected to and are therefore adopted. Plaintiff’s Motion for Default Judgment against seven unidentified staff members and against Defendant Donald Reich are therefore denied.

2. Plaintiff’s objections (Dkt. No. 83) to the Order (Dkt. No. 70) vacating the entry of default against Defendant Donnelly are, for reasons explained in earlier Orders, without merit. The objections are overruled.

3. Plaintiff's objection (Dkt. No. 101) to the Magistrate Judge's denial of Plaintiff's Motion to Stay is mooted by the Tenth Circuit's dismissal of his appeal and the objection is overruled.

4. Plaintiff's applications to proceed in forma pauperis (Dkt Nos. 103, 107 & 112) appear to relate to the appeal pending at that time and they are now moot.

5. Plaintiff's Motion for Extension of Time (Dkt. No. 106) is mooted by the filing of his objections to the Magistrate Judge's Order on May 23, 2011, which will be considered to be timely.

6. In a Motion to Stay (Dkt. No. 108), Plaintiff seeks to have his response to Defendant Donnelly's Motion to Dismiss stayed pending the Court's ruling on various other motions. The stay has, in effect, been granted by the Court's delayed ruling. Plaintiff shall have until August 1, 2011, within which to respond to the Motion to Dismiss.

7. In his objections (Dkt. No. 109) to the Magistrate Judge's Order permitting Defendant Donnelly to answer out of time, Plaintiff argues no circumstances of fact or law which support the relief he seeks. His objections are therefore overruled.

IT IS SO ORDERED this 11th day of July, 2011.

  
ROBIN J. CAUTHRON  
United States District Judge