

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Ryan September Wednesday Bevins v. Unknown Richardson, et al.

Bevins v. Richardson · No. CV-24-08061-PCT-JJT · Decided February 9, 2026

OPINION

Ryan September Wednesday Bevins v. Unknown Richardson, et al.

PER CURIAM.

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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ARIZONA

8 9 Ryan September Wednesday Bevins, No. CV-24-08061-PCT-JJT 10 Plaintiff, ORDER 11 v. 12
Unknown Richardson, et al., 13 Defendants. 14 15 At issue is the Report and Recommendation
(Doc. 25, “R&R”) from United States 16 Magistrate Judge Alison S. Bachus recommending that
the court grant Defendant 17 Richardson’s Motion to set aside the Clerk’s prior entry of default in
this matter (Doc.22). 18 Plaintiff never responded to the motion, and therefore can be deemed to
acquiesce in the 19 granting of the motion pursuant to LRCiv 7.2(i). Judge Bachus nonetheless
independently 20 analyzed Defendant’s Motion on its merits and concluded that it met the
standard to find 21 good cause to grant it. She so recommends to this Court. 22 In the R&R, Judge
Bachus warned the parties that they had two weeks from its entry 23 to file any objections thereto,
and if none were filed, this Court was free to accept the 24 recommendation without further
analysis. (R&R at 12-13.) More than six weeks have now 25 passed since the entry of the R&R,
and Plaintiff has filed no objections, timely, or 26 otherwise. The Court is thus free to accept the
recommendations. It nonetheless also 27 evaluates the Motion on its merits, and upon so doing,
concludes that the good cause 28 standard as set forth in United States v. Signed Personal Check
No. 730 of Yubran S. Mesle, || 615 F.3d 1085, 1091 (9th Cir. 2010), has been met. The Court finds
defendant Richardson engaged in no culpable conduct that led to the default; that he presents
meritorious || procedural defense and an arguable merits defense; and that reopening the default
would 4|| not prejudice Plaintiff. It therefore will adopt the R&R in whole and grant the Motion. 5
IT IS ORDERED adopting the R&R (Doc. 25) entered in this matter by Judge 6 || Bachus,
including its reasoning. 7 IT IS FURTHER ORDERED granting Defendant Richardson’s Motion
at Doc. 8 || 22. The Court directs the Clerk to set aside its entry of default as to Defendant
Richardson, 9|| found at Doc. 19. 10 IT IS FURTHER ORDERED allowing Defendant Richardson
to file an Answer 11 || or other responsive pleading within three weeks of entry of this Order. 12
Dated this 6th day of February, 2026. CN 13 “wok: Unifga StatesDistrict Judge 15 16 17 18 19 20
21 22 23 24 25 26 27 28 -2-

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