

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO. 5:24-cv-00456

RYAN BAILEY and
RKB, INC.,

Defendants.

ORDER

On October 4, 2024, the Government requested entry of default against Defendants Ryan Bailey and RKB, Inc., pursuant to *Federal Rule of Civil Procedure* 55(a). [ECF 9]. Defendants filed Motions to Set Aside the Clerk’s Entry of Default. [ECF 15; ECF 17]. On January 22, 2025, the Court set aside the entry of default against Defendants, [ECF 22], and ordered this action stayed and retired to the inactive docket pending resolution of *United States of America v. Ryan Keith Bailey*, Criminal Action No. 5:24-cr-00106. Sentencing in that action occurred on September 16, 2025. [See Criminal Action No. 5:24-cr-00106, ECF 73]. The case was closed on September 18, 2025.

On October 23, 2025, the Court lifted the stay and reinstated this matter to the active docket. [ECF 24]. On January 29, 2026, following no action by the parties, the Court entered an order directing the parties to show cause why the matter should not be dismissed. [ECF 25]. The Government responded that Defendants have both failed to file an answer or responsive pleading but noted “neither the Court’s order granting Defendants’ motions to stay nor the Court’s order

lifting the stay specified an amount of time within which . . . [D]efendants were required to file an answer[.]” [ECF 26]. Defendants are **DIRECTED** to file an answer or responsive pleading on or before February 23, 2026. The failure to file an answer will result in the entry of default and, ultimately, default judgment.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: February 9, 2026



Frank W. Volk

Frank W. Volk
Chief United States District Judge