
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

ANTONIO CABALLERO,

Plaintiff,

v.

FUERZAS ARMADAS REVOLUCIONARIAS DE COLOMBIA, a/k/a FARC-EP a/k/a REVOLUTIONARY ARMED FORCES OF COLOMBIA; EJERCITO DE LIBERACION NACIONAL a/k/a ELN a/k/a NATIONAL LIBERATION ARMY; and THE NORTE DE VALLE CARTEL,

Defendants.

MEMORANDUM DECISION & ORDER

Case No. 2:17-cv-00315

Judge Clark Waddoups

On March 15, 2018, Plaintiff Antonio Caballero moves the court for Default Judgment. (ECF No. 26.) His motion seeks the following:

that final default judgment be entered in Plaintiff's favor; that full faith and credit be given to the Florida Final Judgment; and that judgment be entered in favor of Plaintiff and against the Defendants, each of them jointly and severally, upon the uncollected portion of the Florida Final Judgment in accordance with its provisions, including post-judgment interest accrued from the date the Florida Final Judgment was rendered in accordance with its provisions, plus post judgment interest hereafter at the rate of 4.75% per year.

(*Id.* at 12.) His complaint, however, characterizes this as an action to domesticate the Florida Final Judgment. (ECF No. 2.) He filed a certified copy of the Florida Final Judgment in this action on July 3, 2017. (ECF No. 11.) No defendant has

ever appeared in the case and the time to answer has long passed. (ECF Nos. 15 & 23.)

“After a default judgment is handed down, a defendant admits to a complaint's well-pleaded facts and forfeits his or her ability to contest those facts.” *Tripodi v. Welch*, 810 F.3d 761, 764 (10th Cir. 2016). But the court need not accept the conclusory statements or legal conclusions. § 2688.1 Court's Entry of a Default Judgment—Effect of Default on Proof Requirements, 10A Fed. Prac. & Proc. Civ. § 2688.1 (4th ed.).

To the extent Mr. Caballero is seeking to domesticate the Florida Final Judgment in Utah, his motion is GRANTED because he has complied with 28 U.S.C. § 1963 by filing a certified copy of the judgment. (ECF No. 11.) The court DENIES all other relief because the Complaint does not provide adequate grounds for the court to determine whether a case and controversy exists or if the court would have personal jurisdiction over such a controversy and DISMISSES the action for lack of jurisdiction.

DATED this 27th day of April, 2018.

BY THE COURT:



Clark Waddoups
United States District Judge