

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2133

MICHAEL C. WORSHAM,

Plaintiff - Appellant,

v.

TRAVEL OPTIONS, INC.; CLIFFORD SHANNON,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. James K. Bredar, District Judge. (1:14-cv-02749-JKB)

Submitted: February 23, 2017

Decided: March 3, 2017

Before WILKINSON, WYNN, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael C. Worsham, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Craig Worsham appeals the district court's order entering default judgment in his favor on some of his claims, while denying judgment on other claims. Pursuant to Fed. R. Civ. P. 55(a), when a party against whom judgment is sought has failed to plead, the clerk must enter the party's default. The court may then enter a default judgment upon the motion of a party, and may conduct hearings to determine the amount of damages. Fed. R. Civ. P. 55(b)(2).

"The defendant, by his default, admits the plaintiff's well-pleaded allegations of fact." Ryan v. Homecomings Fin. Network, 253 F.3d 778, 780 (4th Cir. 2001) (internal quotation marks omitted). "The court must, therefore, determine whether the well-pleaded allegations in the [] complaint support the relief sought in [the] action." Id. "[A] defendant's default does not in itself warrant the court in entering a default judgment. There must be a sufficient basis in the pleadings for the judgment entered.'" DIRECTV, Inc. v. Pernites, 200 F. App'x 257, 258 (4th Cir. 2006) (No. 04-2483) (quoting Nishimatsu Constr. Co. v. Houston Nat'l Bank, 515 F.2d 1200, 1206 (5th Cir. 1975)). "Further, a 'defendant is not held to admit facts that are not well-pleaded or to admit conclusions of law.'" DIRECTV, 200 F. App'x at 258 (citing Nishimatsu, 515 F.2d at 1206)). We have thoroughly reviewed the record and conclude that the

district court did not commit reversible error in entering default judgment on some of Worsham's claims, while denying judgment in his favor on his remaining claims.

Accordingly, we affirm the district court's order and deny Worsham's motions for costs and to compel answers to interrogatories in aid of execution. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED