

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

WELLS FARGO BANK, NATIONAL )  
ASSOCIATION, successor by )  
merger to Wachovia Bank, )  
National Association. )

Plaintiff, )

v. )

RONNIE GILLEY CONSTRUCTION )  
OZARK, INC. and RONALD E. )  
GILLEY, )

Defendants. )

CIVIL ACTION NO.  
1:11cv00330-MHT  
(WO)

ORDER

This matter is now before the court on plaintiff Wells Fargo Bank, National Association's motion for default judgment (Doc. No. 8). Absent additional evidence (set forth below), the motion as it relates to defendant Ronald E. Gilley must be denied. Accordingly, it is ORDERED that plaintiff Wells Fargo Bank, National Association is allowed 14 days from the date of this order to provide the following information:

(1) An affidavit to the effect that defendant Ronald E. Gilley is neither an infant nor incompetent. See Fed. R. Civ. P. 55(b)(2).

(2) An affidavit "(A) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or (B) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service," as required by the Soldiers' and Sailors' Civil Relief Act of 2003, 50 App. U.S.C.A. § 521(b)(1)(A) & (B).

DONE, this the 29th day of June, 2011.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE