

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

FIRST TUSKEGEE BANK,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:09cv1137-MHT
)	(WO)
MARTIN McCALL, SR., d/b/a)	
McCall's Construction)	
Company, et al.,)	
)	
Defendants.)	

JUDGMENT

In accordance with the memorandum opinion entered on this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The motion for entry of default judgment filed by plaintiff First Tuskegee Bank (doc. no. 23) is granted as to defendant Alabama Department of Revenue.

(2) Judgment is entered in favor of plaintiff First Tuskegee Bank and against defendant Alabama Department of Revenue.

(3) It is the DECLARATION of this court that defendant Alabama Department of Revenue has an inferior

interest to that of plaintiff First Tuskegee Bank over the property that is the subject of the Real Estate Mortgage and Security Agreement described in the complaint. Plaintiff First Tuskegee Bank's claims against defendants Martin McCall, Sr. and United States of America Internal Revenue Service remain pending.

It is further ORDERED that costs are taxed against defendant Alabama Department of Revenue, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 9th of August, 2010.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE