

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

CANAL INSURANCE COMPANY,)
a Foreign Corporation,)
)
Plaintiff,)
)
v.)
)
PRINCE D. YELDER d/b/a)
Yelder-N-Sons Trucking,)
Inc., et al.,)
)
Defendants.)

CIVIL ACTION NO.
2:10cv185-MHT
(WO)

OPINION

Plaintiff Canal Insurance Company filed this declaratory-judgment action against defendants Prince Yelder (d/b/a Yelder-N-Sons Trucking, Inc.) and Larry Yelder, Sr., requesting the court find that the insurance company is not responsible to defend the Yelder defendants or pay any judgments rendered against them in underlying actions arising from an automobile accident. Jurisdiction is proper pursuant to 28 U.S.C. § 1332 (diversity). The cause is currently before the court on

Canal's motion for default judgment against the Yelder defendants.

The record in this case reflects that the Yelder defendants were served with a copy of the summons and complaint; that they have failed to respond to the summons and complaint within the time allowed; and that they have failed to respond to an order of this court to show cause as to why final judgment should not be entered against them. Accordingly, this court is of the opinion that Canal's motion for entry of default judgment should be granted and that a declaratory judgment should be entered against the Yelder defendants.

An appropriate judgment will be entered in accordance with this opinion.

DONE, this the 15th day of June, 2010.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE