

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

FARM CREDIT OF NORTHWEST)	
FLORIDA, ACA,)	
)	
Plaintiff,)	
)	CASE NO.: 13-cv-75-MEF
v.)	(WO - Do Not Publish)
)	
WILLIAM R. MCKELVY,)	
)	
Defendant.)	

ORDER

Before the Court is Plaintiff Farm Credit of Northwest Florida, ACA’s (“Farm Credit”) Motion for Default Judgment (Doc. #9), which was filed on April 16, 2013. On March 15, 2013, Farm Credit applied to the Clerk for entry of default against Defendant William R. McKelvy (“Defendant”). (Doc. #7.) The Clerk issued an Entry of Default against Defendant on March 20, 2013. (Doc. #8.) Farm Credit then filed its pending Motion for Default Judgment, which is accompanied by several affidavits. (Doc. #9.)

Rule 55(a) of the Federal Rules of Civil Procedure provides that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules . . . the clerk shall enter the party’s default.” Fed. R. Civ. P. 55(a). Once this has occurred, and the plaintiff’s claim is not for a sum certain, the plaintiff must apply to the court for a default judgment. See Fed. R. Civ. P. 55(b)(1)-(2). The clerk’s entry of default causes all well-pleaded allegations of facts to be deemed admitted. See *Buchanan v. Bowman*, 820 F.2d 359, 361 (11th Cir. 1987). The Court must

accept these allegations as true and then resolve the issues of damages.

In this case, the record establishes that Farm Credit has stated a claim against Defendant for which specific relief can be granted. Farm Credit has presented evidence, through affidavits, establishing that Defendant owes to it the following amounts: \$573,982.91, plus costs of collection of \$4,072.99, additional accrued interest at the rate of \$142.82 per day from April 1, 2013 until the date of judgment, and court costs.

Accordingly, it is hereby ORDERED as follows:

1. Farm Credit's Motion for Default Judgment (Doc. #9) is GRANTED;
2. Default judgment is hereby entered against Defendant William R. McKelvy in the total amount of \$587,482.02, plus costs of court;
3. The Clerk of 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 5th day of June, 2013.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE