North Shore Metals, Inc. v. Whaley (JOINT ASSIGN) Doc. 7

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

NORTH SHORE METALS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACT. NO. 2:14cv1162-CSC
	)	(WO)
KENNON W. WHALEY,	)	
	)	
Defendant.	)	

O R D E R

On November 18, 2014, pursuant to the court's diversity jurisdiction 28 U.S.C. § 1332, the plaintiff filed this action against defendant Kennon W. Whaley to collect a debt (doc. #2). The defendant was personally served on November 19, 2014. *See* Doc. # 1. The defendant failed to file an answer or other responsive pleading, and on January 16, 2015, the plaintiff applied to the Clerk of the Court for entry of default against Whaley. *See* Doc. # 5. The Clerk of the Court entered default against defendant Whaley on January 22, 2015. *See* Doc. # 6.

However, since the entry of default by the Clerk, the plaintiff has failed to move the court for entry of default judgment. *See* FED.R.CIV.P. 55(b). Accordingly, it is

ORDERED that on or before December 7, 2015, the plaintiff shall show cause why this case should not be dismissed for want of prosecution.

Done this 23rd day of November, 2015.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE

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