

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

HERBERT E. FRANKUM,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 08-0373-CG-N
RENATTA CHAPMAN, <u>et al.</u>,	:	
Defendants.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. Therefore, the plaintiff's Motion for Default Judgment (Doc. 51) is hereby **DENIED**, and defendant Pugh's Motion to Set Aside Entry of Default (Doc. 53) is **GRANTED**.

This matter is referred to the Magistrate for entry of a scheduling order.

DONE and ORDERED this 21st day of October, 2011.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE