

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

RODNEY G. HAWORTH

VS

CASE NO. 3:08cv514-MCR/MD

ANCHORS REALTY OF SOUTH  
WALTON INC

REFERRAL AND ORDER

Referred to Judge M. Casey Rodgers on May 11, 2009

Motion/Pleadings: DEFAULT against ANCHORS REALTY OF SOUTH WALTON INC

Filed by clerk on 4/22/2009 Doc.# 138

RESPONSES:

\_\_\_\_\_ on \_\_\_\_\_ Doc.# \_\_\_\_\_  
\_\_\_\_\_ on \_\_\_\_\_ Doc.# \_\_\_\_\_

\_\_\_\_\_ Stipulated \_\_\_\_\_ Joint Pldg.  
\_\_\_\_\_ Unopposed \_\_\_\_\_ Consented

WILLIAM M. McCOOL, CLERK OF COURT

*/s/ C. Justice*

LC (1 OR 2)

Deputy Clerk

**ORDER**

The clerk entered a default against Defendant Anchors Realty of South Walton, Inc., on April 22, 2009. In light of the "Stipulated Motion for Dismissal with Prejudice of Claims Against Defendant Anchors Realty of South Walton, Inc.," filed May 8, 2009, the court finds good cause for *sua sponte* setting aside the default. See *Anheuser Busch v. Philpot*, 317 F.3d 1264, 1267 (11th Cir. 2003) (entry of default that provided neither relief nor damages was not a final default judgment and could be set aside *sua sponte* by the court for "good cause").

**DONE and ORDERED** this 12th day of May, 2009.

Entered On Docket: \_\_\_\_\_ By: \_\_\_\_\_ s/ \_\_\_\_\_  
Rules 58 & 79(a) FRCP or 32(d)(1) & 55 FRCP  
Copies sent to: \_\_\_\_\_

*M. Casey Rodgers*

**M. CASEY RODGERS  
UNITED STATES DISTRICT JUDGE**

Document No.