

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

IN ADMIRALTY

S.E. PROPERTY HOLDINGS, LLC,

Plaintiff,

v.

Case No. 3:11cv549/MCR/CJK

M/V PLAYFUL SEAS (In Rem);
EMERALD COAST TRANSPORTATION
SERVICES, INC., a Florida
corporation (In Personam); etc.

Defendants.

ORDER

The plaintiff filed this action on November 16, 2011, seeking to foreclose on a First Preferred Ship Mortgage and Multipurpose Note and sale of the subject vessel.¹ Defendant Emerald Coast Transportation Services, Inc. (“ECTS”) failed to answer or otherwise defend against the plaintiff’s Complaint, and a final default judgment was entered against it on April 3, 2012, authorizing the sale of the subject vessel. Doc. 38. The sale was conducted on May 24, 2012, and subsequently confirmed by the Clerk of Court on June 5, 2012. Doc. 47. There has been no activity in this case for nearly three years. Accordingly, the Clerk is directed to close the file.²

¹ The action was filed by Vision Bank, which subsequently merged with S.E. Property Holdings, LLC. On March 9, 2012, S.E. Property Holdings, LLC, was substituted as the proper plaintiff. See Doc. 34.

² In its Final Judgment dated April 3, 2012, the Court retained jurisdiction to determine the amount of Plaintiff’s damages following the foreclosure sale upon proper motion by Plaintiff for a deficiency judgment. See Doc. 38. After nearly three years, no motion for deficiency judgment has been filed. If Plaintiff wishes to pursue a deficiency judgment against ECTS, Plaintiff shall, within ten days from the date of this Order, show cause why this case should not be dismissed for failure to prosecute. See N.D. Fla. Loc. R. 41.1.

DONE and ORDERED this 31st day of March 2015.

M. Casey Rodgers

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