

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

FRANK D. MONSEGUE, Sr.,)	
)	
Movant,)	
)	
v.)	CV416-021
)	CR414-019
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

Frank Monsegue moves for “default judgment” on his 28 U.S.C. § 2255 motion to vacate his sentence, contending the Government hasn’t been playing fair in requesting (and receiving) multiple extensions of time to file its response. Doc. 130. But default cannot be entered unless the Government has failed to plead or otherwise defend their case, and here they have. *See, e.g.*, docs. 123, 127, 131. There is thus no basis to support movant’s allegation that the Government was, or has ever been, in default. His motion is therefore **DENIED**. Doc. 130.

SO ORDERED, this 1st day of February, 2017.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA