

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
SAMANTHA D. HOLZHAUER,)
CITIBANK (SOUTH DAKOTA) N.A.,)
and CAPITAL ONE BANK (USA) N.A.,)
)
Defendants.)

Case No. 12-cv-1291

ORDER & OPINION

This matter is before the Court on Plaintiff's Motion for Entry of Default Judgment of Foreclosure (Doc. 12). Plaintiff filed its Complaint on August 14, 2012 (Doc. 1). In it, Plaintiff alleged that the Mortgage had been in default since October 6, 2011, with an outstanding balance of \$89,960.61 and interest accruing at the rate of \$10.7019 per day.

Pursuant to Federal Rule of Civil Procedure 55(a), the Court entered Defendants' default on March 21, 2013, after they failed to plead or otherwise defend in this matter. (Doc. 11 & accompanying Docket Entry). Defendants' liability is thus established, and is no longer in controversy. *e360 Insight v. Spamhaus Project*, 500 F.3d 594, 604 (7th Cir. 2007). The well-pled facts of the Complaint are taken as true, and where "the amount claimed is liquidated or capable of ascertainment from definite figures contained in the documentary evidence or in detailed affidavits," default judgment may be entered without a hearing on damages. *Dundee Cement Co. v. Howard Pipe & Concrete Prods., Inc.*, 722 F.2d

1319, 1323 (7th Cir. 1983). The Court has reviewed Plaintiff's submissions, and has determined that default judgment of foreclosure is appropriate. A separate Judgment of Foreclosure will be entered by the Court.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Entry of Default Judgment of Foreclosure (Doc. 12) is GRANTED. A separate Judgment of Foreclosure will be entered by the Court on this date.

Entered this 18th day of April, 2013.

s/ Joe B. McDade

JOE BILLY McDADE
United States Senior District Judge