

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

FILED

OCT -4 2018

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

WENDELL CHRISTMAS)
PLAINTIFF)
vs)
POLICE CHIEF)
DENARD EAVES)
DEFENDANT)

CASE # 17CV08554

PLAINTIFFS MOTION
FOR JUDGEMENT BY DEFAULT

NOW COMES PLAINTIFF, WENDELL CHRISTMAS, PRO SE
PURSUANT TO RULE 55 (B) (2) FRCP MOVES THIS
HONORABLE COURT FOR ENTRY OF AN ORDER FOR JUDGEMENT
BY DEFAULT AGAINST DEFENDANT POLICE CHIEF DENARD
EAVES, AND IN SUPPORT STATES:

- 1) THE ABOVE CAPTIONED SECTION 1983 CIVIL RIGHTS ACTION WAS FILED ON 11/16/17 BY PLAINTIFF, PRO SE.
- 2) ON 5/4/18, THIS HONORABLE COURT ENTERED AN ORDER NAMING POLICE CHIEF DENARD EAVES AS A DEFENDANT AND REQUESTED PLAINTIFF TO SERVE SUMMONS ON SAID DEFENDANT THROUGH THE US MARSHALL. THE INITIAL COURT STATUS WAS SET FOR 7/18/18.

3) IN ACCORDANCE WITH THE COURTS SAID ORDER, THE PLAINTIFF ISSUED A USM-285 FORM FOR DEFENDANT ON 5/15/18 AND ON 7/5/18 SAID DEFENDANT WAS PROPERLY SERVED BY THE US MARSHALL, (SEE ATTACHED DOCKET SHEET (EXHIBIT A))

4) PURSUANT TO THE COURTS DOCKET ENTRY OF 7/6/18, DEFENDANTS ANSWER TO PLAINTIFFS COMPLAINT WAS DUE 7/26/18. (SEE ATTACHED EXHIBIT A)

5) MOREOVER, PURSUANT TO THE COURTS DOCKET ENTRY OF 7/17/18, THE INITIAL COURT STATUS WAS STRICKEN DUE TO DEFENDANTS FAILURE TO APPEAR AND ARRANGE FOR PLAINTIFFS TELEPHONE COURT CONFERENCE, AS ORDERED. THE COURT STATUS WAS RESET TO 8/3/18

6) PURSUANT TO THE COURTS DOCKET ENTRY OF 8/2/18, THE 8/3/18 COURT STATUS WAS AGAIN STRICKEN DUE TO DEFENDANTS FAILURE AGAIN TO APPEAR AND ARRANGE FOR PLAINTIFFS TELEPHONE COURT CONFERENCE, AS ORDERED

7) DESPITE PROPER SERVICE ON DEFENDANT
7/5/18 AND THO COURT ORDERED COURT STATUSES,
DEFENDANT POLICE CHIEF DENARD EAVES HAS
FAILED TO APPEAR AND FILE AN ANSWER TO
PLAINTIFFS COMPLAINT, AS ORDERED

ACCORDINGLY, PLAINTIFF MOVES THIS HONORABLE
COURT FOR ENTRY OF AN ORDER FOR JUDGEMENT
BY DEFAULT AGAINST DEFENDANT CHIEF DENARD
EAVES AND TO SET A HEARING DATE FOR ARGUE
UP OF PLAINTIFFS DAMAGES.

RESPECTFULLY SUBMITTED

Wendell Christmas

WENDELL CHRISTMAS
PRG SE

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 6.2.2 (Chicago)
CIVIL DOCKET FOR CASE #: 1:17-cv-08554

05/18/2018	<u>7</u>	RECEIVED USM-285 form for defendant(s) Denard Eaves by Plaintiff Wendell Earl Christmas (Envelope postmarked 5/15/18) (lf,) (Entered: 05/18/2018)
07/06/2018	<u>8</u>	SUMMONS Returned Executed by the U.S. Marshal Service as to Denard Eaves on 7/5/2018, answer due 7/26/2018. (jh,) (Entered: 07/06/2018)
07/17/2018	<u>9</u>	MINUTE entry before the Honorable Andrea R. Wood: Status hearing set for 7/18/2018 is stricken and reset for 8/3/2018 at 09:45 AM. Defense counsel shall arrange for Plaintiff to be available by phone for the status hearing. Mailed notice (ef,) (Entered: 07/17/2018)
07/27/2018	9 <u>10</u>	RULE 26(B)(2) MOTION by Plaintiff Wendell Earl Christmas for Leave to File Written Discovery. (Envelope postmarked 7/24/18) (lf,) (Entered: 07/30/2018)
08/02/2018	<u>11</u>	MINUTE entry before the Honorable Andrea R. Wood: Status hearing set for 8/3/2018 is stricken until further order of Court. Mailed notice (ef,) (Entered: 08/02/2018)

Exhibit "A"

WENDELL CHRISTMAS

#20170611138

P.O. BOX 089002

CHICAGO, IL. 60608



FOREVER
USA



2018 OCT -4 AM 9:15

CLERK
U.S. DISTRICT COURT

PRISONER CORRESPONDENCE
CLERK'S OFFICE US DISTRICT COURT
219 S. DEARBORN ST. 20TH FLOOR
CHICAGO, IL. 60604



10/04/2018-22



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