

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOSHUA W. KRUGER,

Plaintiff,

v.

JOHN BALDWIN, et al.,

Defendants.

Case No. 18-cv-512-NJR

**MEMORANDUM AND ORDER**

**ROSENSTENGEL, Chief Judge:**

The matter is before the Court for case management purposes. Defendants Cynthia Gimber and Malda Carson were issued summons on January 30, 2020 (Doc. 62). Defendant Daniel Klein was issued a summons on February 12, 2020 (Doc. 74). All three returned their waivers (Docs. 71, 85, and 88), and per the automatic extensions of time provided by Amended Administrative Order 261 and Second Amended Administrative Order 261, Defendants Answer deadline was reset to June 12, 2020 (Doc. 94). As of this date, Defendants have failed to move, answer, or otherwise plead in response to the Complaint.

The Federal Rules of Civil Procedure provide that the Clerk of Court must enter default against a defendant who has failed to plead or otherwise defend. Fed. R. Civ. P.

55(a). Accordingly, the Court **ORDERS** as follows:

- (1) The Clerk of Court is **DIRECTED** to **ENTER DEFAULT** against Defendants Gimber, Carson, and Klein in accordance with Federal Rule of Civil Procedure 55(a).
- (2) Plaintiff is **ORDERED** to move for default judgment against Defendants

Gimber, Carson, and Klein on or before **July 13, 2020**, in accordance with Federal Rule of Civil Procedure 55(b).

- (3) If Plaintiff fails to move for default judgment as set forth in this Order, this entire action will be dismissed as to Defendants Gimber, Carson, and Klein for failure to prosecute and/or failure to comply with an order of the Court.
- (4) The Clerk of Court is **DIRECTED** to transmit a copy of this Order and the entry of default to Plaintiff and to Defendants Gimber, Carson, and Klein.

**IT IS SO ORDERED.**

**DATED: June 22, 2020**

A handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive style and is positioned above a horizontal line. A faint circular seal is visible behind the signature.

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**NANCY J. ROSENSTENGEL**  
**Chief U.S. District Judge**