

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

JESUS SANCHEZ, #M38900,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 18-cv-01328-SMY
)	
KRISTOFER BESHEARS, et al.,)	
)	
Defendants.)	

NOTICE AND ORDER

This matter comes before the Court for case management purposes. Plaintiff identified Defendant Jane Doe Mental Health Worker as Megan VanPelt and filed a motion to substitute, which was granted. (Doc. 45). A Request for Waiver of Service sent to Defendant VanPelt was returned unexecuted. (Doc. 46). Summons was issued and Defendant VanPelt was served on January 27, 2020. (Doc. 63). Defendant VanPelt's responsive pleading was due February 18, 2020. (*Id.*). To date, Defendant VanPelt has 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 Defendant VanPelt in accordance with Federal Rule of Civil Procedure 55(a).
- (2) Plaintiff is **ORDERED** to move for default judgment against Defendant VanPelt on or before April 1, 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, Defendant VanPelt will be dismissed for Plaintiff's failure to prosecute his claim against her 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 Defendant VanPelt.

IT IS SO ORDERED.

DATED: March 11, 2020

s/ Staci M. Yandle
STACI M. YANDLE
United States District Judge