

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

REGINA KRACH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No. 1:20-CV-313-HAB
	)	
ERIC J. HOLCOMB,	)	
	)	
Defendant.	)	

**OPINION AND ORDER**

Now before the Court is Plaintiff’s Request for Judgment (ECF No. 9). Based on the documents attached to the Request, it appears that Plaintiff completed service on Defendant on October 16, 2020, when the Indiana Attorney General was served. (*See* ECF No. 9-3 at 2; Indiana Trial Rule 4.6(A)(3)). Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), Defendant’s answer or other responsive pleading was due on November 6, 2020. Defendant entered his appearance, by counsel, on November 6, 2020, and filed a motion under Fed. R. Civ. P. 12(e) and (f). (ECF No. 11). Defendant’s appearance and filing satisfied his duties under the Rules and altered the deadline for his answer. *See* Fed. R. Civ. P. 12(a)(4).

Accordingly, since Plaintiff has not shown that Defendant has failed to “plead or otherwise defend,” Fed. R. Civ. P. 55(a), she is not entitled to an entry of default, and the Request for Judgment (ECF No. 9) is DENIED.

SO ORDERED on November 12, 2020.

s/ Holly A. Brady \_\_\_\_\_  
JUDGE HOLLY A. BRADY  
UNITED STATES DISTRICT COURT