

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LINDA J. WHEELER,

Defendant.

No. C13-0070

**ORDER SETTING ASIDE
SUMMARY JUDGMENT**

This matter comes before the Court on the Motion to Set Aside Order Granting Summary Judgment (docket number 25) filed by Defendant Linda J. Wheeler on June 10, 2014, and the Response (docket number 26) filed by the Plaintiff on the same date. Claiming that she did not timely receive a copy of Plaintiff's motion for summary judgment, Defendant asks that summary judgment be set aside and she be allowed time to file a resistance. In its response, Plaintiff concedes that Defendant "was not properly served with the summary judgment papers." Accordingly, Plaintiff does not resist Defendant's request for relief.

ORDER

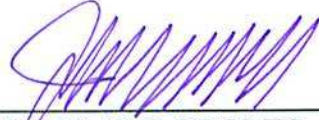
IT IS THEREFORE ORDERED as follows:

1. Defendant's Motion to Set Aside Order Granting Summary Judgment (docket number 25) is **GRANTED**.
2. The Final Judgment and Decree of Foreclosure (docket number 23) and the Judgment (docket number 24) are hereby **SET ASIDE**.

3. Defendant's response to Plaintiff's Motion for Summary Judgment must be filed not later than **July 1, 2014**.

4. Plaintiff's reply, if any, must be filed not later than **July 11, 2014**.

DATED this 10th day of June, 2014.



JON STUART SCOLES
CHIEF MAGISTRATE JUDGE
NORTHERN DISTRICT OF IOWA