

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**STEPHANIE CROYDER,**

**Plaintiff,**

**v.**

**GEOFFREY W. HETLEY, et al.,**

**Defendants.**

**Case No. 16-2761-JAR-JPO**

**MEMORANDUM AND ORDER**

Before the Court are Plaintiff Stephanie Croyder's Applications for Entry of Default as to Defendants Blitt and Gaines, P.C. (Doc. 17), and David Olefsky (Doc. 18). A defendant shall serve an answer within twenty-one days after service of the Complaint.<sup>1</sup> But if a motion is filed under Fed. R. Civ. P. 12(b), the defendant need not file a responsive pleading until fourteen days after the Court denies the motion.<sup>2</sup> In this case, Defendants filed a motion to dismiss under Rule 12 on the date their answers were due, which altered the time to file an answer. Therefore, the Court denies Plaintiff's applications for entry of default for failure to answer within twenty-one days.

**IT IS THEREFORE ORDERED BY THE COURT** that Plaintiff Stephanie Croyder's Applications for Entry of Default as to Defendants Blitt and Gaines, P.C. (Doc. 17), and David Olefsky (Doc. 18) are denied.

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<sup>1</sup>Fed. R. Civ. P. 12(a)(1).

<sup>2</sup>Fed. R. Civ. P. 12(a)(4).

**IT IS SO ORDERED.**

Dated: January 18, 2017

S/ Julie A. Robinson  
JULIE A. ROBINSON  
UNITED STATES DISTRICT JUDGE