

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CIVIL ACTION

VERSUS

NO. 19-1435

JAVIER K. DAVIDSON

SECTION M (3)

ORDER & REASONS

On August 7, 2020, the government filed a motion for summary judgment pursuant to Rule 56(a) of the Federal Rules of Civil Procedure seeking a money judgment on a defaulted promissory note owed to the United States.¹ The motion was set for submission on August 27, 2020.² Local Rule 7.5 of the United States District Court for the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed no later than eight days before the noticed submission date, which in this case was August 19, 2020. Defendant Javier K. Davidson a/k/a Javar K. Davidson, who is represented by counsel, has not filed a memorandum in opposition to the motion. On August 20, 2020, the government filed a supplemental memorandum³ in support of the summary-judgment motion in order to correct an error in the calculation of interest in the original motion and supporting memorandum. The correction resulted in a reduction of the amount of prejudgment interest sought to be imposed.

Accordingly, because the motion to dismiss is unopposed, and it appears to the Court that the motion has merit,⁴

¹ R. Doc. 22.


² R. Doc. 22-1.

³ R. Doc. 25.

⁴ Davidson defaulted on a student loan promissory note executed on June 27, 2005. R. Doc. 22-2 at 1. Davidson has not disputed the debt or the authenticity of the promissory note. R. Doc. 22-3 at 4. After applying all

IT IS ORDERED that the government's motion for summary judgment against Davidson (R. Doc. 22) is GRANTED as unopposed and that a money judgment be entered against Davidson in the amount of \$151,944.94, together with post-judgment interest and costs of these proceedings.

New Orleans, Louisiana, this 24th day of August, 2020.


BARRY W. ASHE
UNITED STATES DISTRICT JUDGE

payments and credits, Davidson owes \$151,944.94, representing principal of \$94,652.59, plus prejudgment interest of \$57,292.35 through the date of this Order & Reasons. The government has submitted summary-judgment evidence establishing that Davidson signed the note, the United States is the correct holder of the note, and the note is in default, thereby entitling the United States to judgment on the defaulted promissory note. *See United States v. Lawrence*, 276 F.3d 193, 197 (5th Cir. 2001).