

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA
VERSUS
ALTON BATES, ET AL.

CIVIL ACTION
NO. 11-392-JJB

RULING AND ORDER

This matter is before the court on a motion (doc. 16) by plaintiff for default judgment against Alton Bates and for summary judgment against Juanita Bates. Mrs. Bates has filed an opposition. There is no need for oral argument.

Considering the fact that Mrs. Bates was unrepresented at her deposition and her deposition testimony is somewhat ambiguous (as addressed in her opposition brief), the court finds that there are genuine issues of material fact that preclude summary judgment. While the motion for default judgment appears to be well founded as to Mr. Bates, these matters are intertwined and the court defers ruling on the default judgment until further issues of liability are resolved.

Accordingly, the motion (doc. 16) is hereby DENIED reserving the motion for default judgment against Mr. Bates for final resolution with the merits of the claims against Mrs. Bates.

Baton Rouge, Louisiana, May ^{31ST}, 2012.



JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA