

UNITED STATES DISTRICT COURT  
District of Maine

RONALD J. STRONG,

Plaintiff

v.

SOCIAL SECURITY  
ADMINISTRATION  
COMMISSIONER,

Defendant

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2:10-cv-427-GZS

ORDER ON MOTIONS FOR RECONSIDERATION

Before the Court are Plaintiff’s Motion for Reconsideration and Request for Hearing (Docket No. 26) and Plaintiff’s Amended Motion for Reconsideration and Request for Hearing (Docket No. 27). These Motions have prompted the Court to further examine the record, as requested. Upon further examination, the Court has determined that Defendant’s December 28, 2010 filing was not late as noted in this Court’s February 15, 2011 Order Affirming Recommended Decision (Docket No. 23). Rather, the Court takes judicial notice of the fact that this Court was closed on December 27, 2010 due to inclement weather. As a result, the December 27, 2010 deadline was extended by one day pursuant to Federal Rule of Civil Procedure 6(a)(3). Counsel for Defendant received notice of this closing and the one day extension of deadlines. Thus, upon reconsideration, the Court has determined that Defendant filed a timely responsive pleading on December 28, 2010. Because Defendant filed a timely responsive pleading and Plaintiff has not met the requirements of Federal Rule of Civil Procedure 55(d), there is no basis for the entry of default judgment.

1. It is therefore **ORDERED** that the Motions for Reconsideration and Request for a Hearing (Docket Nos. 26 & 27) are hereby **DENIED**.
2. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
3. It is hereby **ORDERED** that Plaintiff's Motion for Default Judgment (Docket No. 14) is **DENIED**.

/s/ George Z. Singal  
United States District Judge

Dated this 16th day of March, 2011.