

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
STEPHANIE A. GALLAGHER
UNITED STATES MAGISTRATE JUDGE

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November 16, 2017

Hesman Tall
10721 Grae Loch Road
Laurel, MD 20707

Jennifer Hope Stinnette, Esq.
Social Security Administration
6401 Security Boulevard Rm 617
Baltimore, MD 21235

RE: *Hesman Tall aka James Hunter v. Commissioner, Social Security*
Civil No. PWG-17-2519

Dear Counsel and Mr. Tall:

This case has been referred to me, by way of Standing Order No. 2014-01, for pretrial management. [ECF No. 4]. I am in receipt of the Motion for Clerk's Entry of Default filed by the Plaintiff, Hesman Tall, in which he submits that the Commissioner has not timely responded to his Summons and Complaint. [ECF No. 12]. The record reflects that a Summons, allowing the Commissioner, as a United States agency, 60 days to respond, was issued on September 27, 2017. [ECF No. 11]. Thus, even if the Summons and Complaint had been served on that same date, the Commissioner would have had until November 27, 2017 to respond, and responded timely by entering her appearance on November 3, 2017. [ECF No. 13]. Moreover, the record reflects that the Summons and Complaint were not served on the Commissioner until October 23, 2017. [ECF No. 14]. Thus, as the docket demonstrates, the Commissioner could have timely responded as late as December 22, 2017. [ECF No. 15]. Accordingly, because the Commissioner timely entered her appearance in this Court to defend the claim, Mr. Tall's motion for default [ECF No. 12] is DENIED. Mr. Tall's appeal will proceed on a schedule to be set upon filing of the transcript.

Despite the informal nature of this letter, it is an Order of the Court and will be docketed as such.

Sincerely yours,



Stephanie A. Gallagher
United States Magistrate Judge