

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

GREGORY NEAL MELTON, a
Tennessee sole proprietor doing business
as GM Brokerage

PLAINTIFF

V.

CIVIL ACTION NO. 3:14-CV-00122-MPM-JMV

MID-SOUTH PRODUCE COMPANY,
a Mississippi Corporation, ET AL.

DEFENDANTS

ORDER DENYING REQUEST FOR ADDITIONAL TIME

By Order [26] dated October 2, 2014, the court ordered Defendants Judith White and Lee Boone to show cause in writing for their failure to appear at the Case Management Conference held in this case. In a response [30] filed on their behalf on October 27, among other things, Defendants request an extension of time to file an “Answer to the claims [asserted] against them personally.” First, the court finds the request is procedurally improper because it was not filed separately as a motion. Second, the docket reflects that an answer [7] has already been filed on behalf of Defendant White. Third, because the docket further reflects that the Clerk has entered a default [9] against Defendant Boone and that Plaintiff has moved for entry of a default judgment [14] against Boone, the request is improper because there has been no ruling setting aside the entry of default. While the court accepts the reasons provided by Defendants for failing to appear at the CMC, for the reasons stated above, Defendants’ request for additional time to answer is **DENIED.**

THIS, the 29th day of October, 2014.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE