

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

**KENNETH DWAYNE HARTH, SR.**

**PLAINTIFF**

**v.**

**No. 4:20CV47-RP**

**MISSISSIPPI DEPARTMENT  
OF CORRECTIONS, ET AL.**

**DEFENDANTS**

**ORDER *DISMISSING AS MOOT* PLAINTIFF'S  
MOTION [38] FOR A TRIAL DATE,  
MOTION [50] FOR ENTRY OF DEFAULT,  
MOTION [54] FOR COMPENSATION CHECK, AND  
MOTIONS [59], [60] FOR DEFAULT JUDGMENT**

This matter comes before the court on the plaintiff's Motion [38] for a Trial Date, Motion [50] for Entry of Default, Motion [54] for Compensation Check, and Motions [59], [60] for Default Judgment. These motions are **DISMISSED** as moot.

As the court has entered a scheduling order in this case, the plaintiff's Motion [38] for a Trial Date will be dismissed as moot. Further, as the court has granted defendant Golliday's Motion [56] to Set Aside Clerk's Entry of Default, the plaintiff's Motion [50] for Entry of Default, Motion [54] for Compensation Check (based on default judgment), and Motions [59], [60] for Default Judgment will also be dismissed as moot.

**SO ORDERED**, this, the 25th day of October, 2021.

/s/ Roy Percy  
UNITED STATES MAGISTRATE JUDGE