

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES SMALL BUSINESS
ADMINISTRATION

PLAINTIFF

V.

CAUSE NO. 1:13CV92-LG-JMR

GENE A. CHERRY, JR.

DEFENDANT

DEFAULT JUDGMENT

Plaintiff, United States Small Business Administration (SBA), has moved, pursuant to Fed. R. Civ. P. 55(b)(2), for judgment by default against defendant Gene A. Cherry, Jr., and the Court having examined and considered the motion and being otherwise fully advised in the premises, finds:

That the complaint was filed in this cause on March 25, 2013. Service of process was perfected on the defendant Gene A. Cherry, Jr., on April 19, 2013, as shown by the Return of Service on the Summons filed on May 13, 2013.

That no answer or other pleadings has been filed by the defendant Gene A. Cherry, Jr. or anyone representing the defendant.

That default was entered on the civil docket in the Office of the Clerk of this Court on May 30, 2013 and defendant Gene A. Cherry, Jr. has taken no action to set aside the default.

That defendant is not in the military and is not an infant or incompetent persons.

The real property which defendant Gene A Cherry, Jr. may claim an interest in is located in Jackson County, Mississippi, and described as follows:

The North Half of Lot 166, Jackson Park Subdivision, as per plat thereof recorded in Plat Book 2, page 72 in the Records of Official Plats of Jackson County, Mississippi, on file and of record in the Office of the Chancery Clerk of Jackson County, Mississippi.

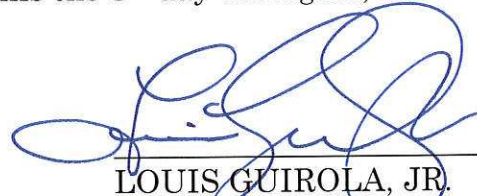
More commonly known as: 5200 Meridian Street, Moss Point, MS 39563.

IT IS THEREFORE ORDERED AND ADJUDGED that the plaintiff's Motion for Default Judgment [ECF No. 8], pursuant to Fed. R. Civ. P. 55 should be, and is hereby **GRANTED**.

IT IS FURTHER ORDERED AND ADJUDGED that the defendant Gene A. Cherry, Jr. does not own and has no right to possess 5200 Meridian Street, Moss Point, Mississippi, more particularly described above.

IT IS FURTHER ORDERED AND ADJUDGED that the defendant Gene A. Cherry, Jr. is to relinquish possession of the property to SBA no later than 30 days from entry of this default judgment.

SO ORDERED AND ADJUDGED this the 6th day of August, 2013.



LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE