

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CITIMORTGAGE, INC.,)

Plaintiff,)

v.)

PREMIER MORTGAGE CAPITAL, INC.,)

Defendant.)

No. 4:09-CV-1223 CAS

ORDER

Upon review of the Court file, the Court notes that defendant Premier Mortgage Capital, Inc., has failed to enter an appearance and answer or otherwise respond to plaintiff's complaint. The filing of the return of proof of service upon defendant Premier Mortgage Capital, Inc., which was filed on August 28, 2009, states that defendant Premier Mortgage Capital, Inc. was served on August 14, 2009. Accordingly,

IT IS HEREBY ORDERED that plaintiff shall, within fourteen (14) days of the date of this order, file a motion for entry of default by the Clerk of the Court under Federal Rule of Civil Procedure 55(a) and, if appropriate, a motion for default judgment under Rule 55(b), supported by all necessary affidavits and documentation, as well as proposed orders for the Court's consideration.

Failure to comply with this order may result in dismissal of this action without prejudice.



**CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE**

Dated this 6th day of October, 2009.