

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

THOMAS E. BURNSIDE,

Petitioner,

v.

JAMES HURLEY,

Respondent.

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No. 4:16-cv-00947-JAR

MEMORANDUM AND ORDER

This matter is before the Court on Petitioner Thomas E. Burnside's motion for default judgment, filed with the Court on September 26, 2016 (Doc. 10). Petitioner seeks an entry of judgment in his favor, arguing that Respondent has not complied with the Court's July 6, 2016 case management order. In its case management order, the Court ordered Respondent to show cause why Petitioner should not be granted relief (Doc. 5). On August 22, 2016, Respondent timely moved for an extension of time, up to and including September 20, 2016, in which to comply with the case management order (Doc. 7). The Court granted the motion, and on September 20, 2016, Respondent filed his response (Doc. 9). Respondent has complied with the Court's case management order, and thus is not in default. Accordingly,

IT IS HEREBY ORDERED that Petitioner's motion for default judgment (Doc. 10) is **DENIED**.

Dated this 28th day of September, 2016.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE