

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

TAMMY ROJAS,)
)
 Plaintiff,)
)
 vs.)
)
 HECTOR CONTRERAS,)
)
 Defendant.)

8:09CV268

SCHEDULING ORDER

This case is before the magistrate judge for full pretrial supervision. The court file shows that the defendant was served with summons on August 12, 2009. Apparently, the defendant has failed to timely answer or otherwise respond to the complaint. It remains plaintiff's duty to go forward in prosecuting the case by, for example, obtaining an entry of default and filing a motion for default judgment.

IT THEREFORE IS ORDERED that plaintiff is given until **November 20, 2009** to obtain an entry of default pursuant to Fed. R. Civ. P. 55(a) and file a motion for default judgment in accordance with Fed. R. Civ. P. 55(b), or take other appropriate action to prosecute this case. If appropriate action is not taken, I will recommend that the case be dismissed without prejudice pursuant to NECivR 41.1 for failure to prosecute.

DATED October 23, 2009.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**