

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ESTATE OF JOYCE ROSAMOND  
PETERSEN,

Plaintiff,

vs.

ROBERT W. BORLAND, JR.; UNITED  
FINANCIAL SERVICES, WILLIAM E.  
BITTERS; and JOHN L. HENRY,

Defendants.

**4:16CV183**

**ORDER**

This matter is before the Court on defendant John L. Henry's (Henry) Notice of Appeal (Filing No. 85). On June 29, 2016, the Clerk of Court entered default as to Henry for failing to plead or otherwise defend this action (Filing No. 75). The Clerk of Court entered default judgment against Henry on July 6, 2016 (Filing No. 82). On July 18, 2016, Henry filed pro se a Notice of Appeal appealing the entry of default (Filing No. 85). The Court will construe Henry's Notice of Appeal as a motion to set aside the entry of default and default judgment.

**IT IS ORDERED:**

1. The Clerk of Court shall not process the appeal in this case to the United States Court of Appeals for the Eighth Circuit; and
2. Henry shall have ten (10) days from the date of this order to file a brief and any evidence in support of setting aside the entry of default and default judgment.

Dated this 19th day of July, 2016.

**BY THE COURT:**

*s/ Robert F. Rossiter, Jr.*  
United States District Judge