UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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UNITED STATES OF AMERICA, Plaintiff, v. DAVID G. PFLUM; PATRICIA A. PFLUM, CARSON CITY; PATRICK PALMERI AS TRUSTEE FOR THE LITTLE FLOWER SECURITY TRUST; MARGARET PALMERI AS TRUSTEE FOR THE LITTLE FLOWER SECUIRYT TRUST, Defendants.	Case No. 3:12-cv-00507-MMD-VPC ORDER

This Order addresses the United States' Motion to Strike and Motion for Default Judgment. (Dkt. nos. 12, 21.) The Motion to Strike is granted. However, the Court defers ruling on the Motion for Default Judgment pending response to this Order.

The United States initiated this action seeking to foreclose federal tax liens on certain real property of defendants David Pflum and Patricia Pflum on September 20, 2012. Defendants were served with the Summons and Complaint on November 1, 2012. (Dkt. nos. 8 & 9.) Defendants had until November 22, 2012, to respond to the Complaint. Instead of responding to the Complaint, which Defendants may do by either filing an answer or a motion to dismiss, Defendant David Pflum filed a copy of a letter addressed to Nathaniel Parker, counsel for the United States, on November 30, 2012 ("Letter"). (Dkt. no. 7.) While Mr. Pflum has filed other notices of equally baffling nature, neither he nor Patricia Pflum has responded to the Complaint.

The United States has moved to strike the Letter. The Letter identifies the case number for this case and appears to make references to other cases. However, the Letter is not an appropriate response to the Complaint. Accordingly, the United States' Motion to Strike (dkt. no. 12) is granted.

On December 21, 2012, the Clerk entered default in response to the United States' motion for entry of default. (Dkt. no. 15.) The United States filed a Motion for Default Judgment on March 21, 2013. (Dkt. no. 21.) Defendant David Pflum has since then filed a copy of other letters and notices. The last notice was filed as recently as August 22, 2013. The contents of these notices do not make any sense. While *pro se* pleadings must be "liberally construed," *Balistreri v. Pacifica Police Dep't*, 901 F.2d. 696, 699 (9th Cir. 1988), the Court finds that these notices are not proper responses to the Complaint even under this less stringent standard. Defendants David and Patricia Pflum have fourteen (14) days to either file a proper response to the Complaint or to show cause why the Court should not enter default judgment against them for failure to answer or respond to the Complaint.

IT IS THEREFORE ORDERED that the United States' Motion to Strike (dkt. no. 12) is GRANTED. Docket no. 7 is ordered stricken.

IT IS FURTHER ORDERED that David and Patricia Pflum have fourteen (14) days to either file a proper response to the Complaint or to show cause why the Court should not grant the United States' Motion for Default Judgment (dkt. no. 21).

DATED THIS 26th day of August 2013.

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE