

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

THOMAS LIDDELL,

Plaintiff,

v.

DAVID BREEN, et al.,

Defendants.

Civil Action No. 17-12841 (SDW) (LDW)

ORDER

October 15, 2018

THIS MATTER having come before the Court by way of Plaintiff Thomas Liddell's Motion for Default Judgment as against Defendant David Breen, and this Court having carefully reviewed and considered Plaintiff's submissions, and

WHEREAS pursuant to Federal Rule of Civil Procedure 55, a party must first seek entry of default from the Clerk of Court before applying for a default judgment; and

WHEREAS Plaintiff has not sought entry of default from the Clerk of Court before filing the instant motion;

IT IS, on this 15th day of October, 2018,

ORDERED that Plaintiff Thomas Liddell's Motion for Default Judgment (Dkt. No. 55) is **DENIED** without prejudice.

SO ORDERED.

/s/ Susan D. Wigenton
Hon. Susan D. Wigenton
United States District Judge

Orig: Clerk
cc: Leda Dunn Wettre, U.S.M.J.
Parties