

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TANISIA N. BAKER,	:	
	:	
Plaintiff,	:	19 Civ. 1093 (JPC)
	:	<u>ORDER</u>
-v-	:	
CARL WEBER <i>et al.</i> ,	:	
	:	
Defendants.	:	
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JOHN P. CRONAN, United States District Judge:

Under Federal Rule of Civil Procedure 55(b), “[a] default judgment may be entered against a minor or incompetent person only if represented by a general guardian, conservator, or other like fiduciary who has appeared.” Fed. R. Civ. P. 55(b). S.D.N.Y. Local Rule 55.1 similarly requires a party seeking default judgment to file an affidavit showing “that the party against whom a notation of default is sought is not an infant, in the military, or an incompetent person.” S.D.N.Y & E.D.N.Y L. R. Civ. P. 55.1. In reviewing Plaintiff’s filings for her motion for default judgment, it does not appear that Plaintiff ever filed an affidavit showing that all of the Defendants against whom a default is sought are not infants, in the military, or incompetent persons. No later than January 10, 2022, at 9:00 a.m., Plaintiff shall file an affidavit meeting this requirement or request an adjournment of the default judgment hearing scheduled for January 10, 2022, at 10:30 a.m.

SO ORDERED.

Dated: January 7, 2022  
New York, New York




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JOHN P. CRONAN  
United States District Judge