

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
IN ADMIRALTY
No. 4:17-CV-77-D


IN THE MATTER OF THE COMPLAINT)
OF DIVINE MERCY, LLC AS OWNER OF)
THE FISHING VESSEL DIVINE MERCY)

ORDER

On June 5, 2017, Divine Mercy, LLC filed a complaint for exoneration from or limitation of liability pursuant to the Limitation of Liability Act [D.E. 1]. On June 6, 2017, this court issued a notice of complaint in admiralty for exoneration from or limitation of liability [D.E. 9]. The notice directed all persons having claims arising from the voyage of the Fishing Vessel Divine Mercy on April 7, 2016, to file such claims on or before July 27, 2017. *Id.* On August 15, 2017, Rafael Olmos filed a claim and answer to the complaint [D.E. 13, 14]. No other parties filed claims or otherwise responded to the court's notice. On September 15, 2017, the clerk entered default against non-appearing parties and non-asserted claims [D.E. 20].

On August 21, 2017, plaintiff moved for entry of judgment of exoneration by default against all potential claimants and claims not timely asserted [D.E. 17]. Plaintiff's motion [D.E. 17] is GRANTED. A judgment of exoneration by default is hereby entered against all parties and claimants having an interest in this matter, other than Rafael Olmos, and for any claims not yet filed by any party. *See* Fed. R. Civ. P. Rule 55(a); Rule F(5), Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions.

SO ORDERED. This 13 day of October 2017.



JAMES C. DEVER III
Chief United States District Judge