

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Civil Action No.: 5:11-cv-00051-F

BAC HOME LOANS SERVICING,)	
LP F/K/A COUNTRYWIDE)	
HOME LOANS SERVICING, LP,)	
)	
Plaintiff,)	
vs.)	
)	
IVAN POWELL; CANDACE POWELL;)	<u>ORDER FOR ENTRY</u>
CARLTON GROUP OF NORTH)	<u>OF DEFAULT AS TO</u>
CAROLINA, LLC;)	<u>GRANITE RIDGE SUBDIVISION</u>
CARLTON CONSTRUCTION CORP.)	<u>HOMEOWNERS ASSOCIATION, INC.</u>
PENSION FUND; MURDOCK AND)	
GANNON CONSTRUCTION, INC.;)	
UNITED STATES DEPARTMENT OF)	
HOUSING & URBAN DEVELOPMENT;)	
NATIONWIDE TRUSTEE SERVICES,)	
INC; CACH, LLC;)	
GRANITE RIDGE SUBDIVISION)	
HOMEOWNERS ASSOCIATION, INC.,)	
)	
Defendants.)	

THIS MATTER came before the Court on Plaintiff's Motion for Entry of Default as to Defendant Granite Ridge Subdivision Homeowners Association, Inc. [DE 22] The Court finds that an evidentiary hearing is not required, the matter is otherwise ripe for review and finds as follows:

PROCEDURAL BACKGROUND

On February 2, 2011, Plaintiff filed suit against Defendants for reformation of instruments of title and foreclosure, [Doc 1] to which summons issued as to Defendant Granite Ridge Subdivision

Homeowners Association, Inc., ["Defendant Granite Ridge HOA"] served upon Defendant Granite Ridge HOA on February 15, 2011. [Doc 7]

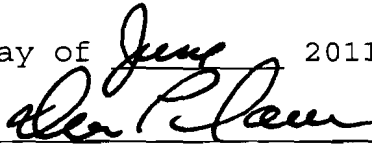
Defendant Granite Ridge HOA failed to file responsive pleadings as required by Fed. R. Civ. P. 12. and is in default of the Complaint.

Pursuant to Fed. R. Civ. P. 55 (a) Plaintiff is entitled to entry of Clerk's Default as to its Complaint against the Defendant Granite Ridge HOA.

CONCLUSION

Accordingly, after a careful review of the record and the Court being otherwise fully advised, it is ORDERED AND ADJUDGED that Plaintiff's Motion for Entry of Default as to Granite Ridge HOA is GRANTED.

DONE AND ORDERED in chambers at Raleigh, Wake County, North Carolina, this 8th day of June 2011.



DENNIS P. IAVARONE, CLERK

Cc:

Andrew R. Bickwit
Attorneys for Plaintiff
JOHNSON & FREEDMAN, LLC
1587 Northeast Expressway
Atlanta, Georgia 30329
Telephone: (770) 234-9181 x8837
Facsimile: (404) 329-8048
Email: arbickwit@jflegal.com
North Carolina Bar No. 13255