

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:13-CV-691-D

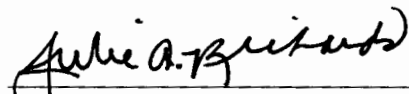
SEANDELL FORMAN,)
)
Plaintiff,)
)
v.)
)
TEXAS GUARANTEED STUDENT)
LOAN CORPORATION,)
)
Defendant.)

ORDER

On November 20, 2013, Seandell Forman (“plaintiff”) filed a motion for entry of default against Texas Guaranteed Student Loan Corporation (“defendant”) under Rule 55(a) of the Federal Rules of Civil Procedure [D.E. 18]. In sum, plaintiff asserts that default should be entered because defendant failed to file an answer or otherwise respond to his amended complaint. However, prior to its deadline to respond and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Civil Rule 6.1, defendant received an extension of time to and including December 10, 2013, to file an answer or other responsive pleading [D.E. 17]. On December 10, 2013, defendant filed an answer to plaintiff’s amended complaint [D.E. 24].

Rule 55(a) of the Federal Rules of Civil Procedure provides for entry of default against a party who “has failed to plead or otherwise defend.” Defendant timely filed a responsive pleading on December 10, 2013. Accordingly, plaintiff’s motion for entry of default is DENIED [D.E. 18].

SO ORDERED. This 16th day of December 2013.


Julie A. Richards, Clerk of Court