

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

BURL ANDERSON HOWELL )  
Plaintiff, )  
v. )  
UNITED STATES OF AMERICA, )  
Defendant. )

**JUDGMENT**  
No. 5:14-CV-898-F

**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows:

**IT IS ORDERED, ADJUDGED AND DECREED** that Defendant’s Motion to Dismiss [DE-38] is ALLOWED. Plaintiff’s Motion for Default Judgment for Failure of Government to Reply to Responses in Support of Request for Entry of Judgment on Pleading or File Answer [DE-31], Motion for Leave to Seek Amendment of Court’s Orders [DE-32], Motion to Strike New or Belated Defenses and Reiteration of Plaintiff’s Motion for Summary Judgment [DE-33], Motion to Amend Response in Opposition [DE-42], Motion to Amend Motion to Strike [DE-43], Motion to Amend Response in Opposition to Motion [DE-45], Motion to Amend Motion for Leave to File Motion for Summary Judgment and Response in Opposition to Motion [DE-46], Motion for Judgment [DE-52], Motion for Prompt Disposition of a Rule 59(e)/60(b)(5) Motion [DE-55] and and Motion for Leave and the Motion for Judgment as a Matter of Law Rule 50(b)(3) Alternatively Rule 60(b)(5) [DE-56] are DISMISSED as moot.

**This Judgment Filed and Entered on November 24, 2015, and Copies To:**  
Burl Anderson Howell (via U.S. Mail to 207 Dobbs Drive, La Grange, NC 28551)  
Kimberly A. Moore (via CM/ECF electronic notification)

DATE  
November 24, 2015

JULIE RICHARDS JOHNSTON, CLERK  
/s/ Jacqueline B. Grady  
(By) Jacqueline B. Grady, Deputy Clerk