

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:11cv248**

| | | |
|-----------------------------------------------|---|---------------------|
| AMERICA'S LIVING CENTERS-WNC, LLC, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | <u>ORDER</u> |
| |) | |
| HELEN CHRISTY YARBOROUGH, et al., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

THIS MATTER is before the Court on the Plaintiff's Motion for Default Judgment against the Defendant Helen Christy Yarborough [Doc. 22].

Rule 55(b)(1) of the Federal Rules of Civil Procedure provides that the Clerk of Court may enter a default judgment against a defendant "on the plaintiff's request," provided that such request is support by "an affidavit showing the amount due." Fed. R. Civ. P. 55(b)(1). The Plaintiff has failed to support its Motion with the necessary affidavit.

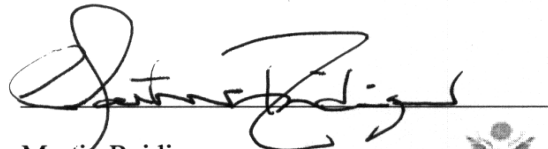
IT IS, THEREFORE, ORDERED that within fourteen (14) days of the entry of this Order, the Plaintiff shall supplement its Motion for Default Judgment with an affidavit showing the amount due.

IT IS FURTHER ORDERED that the Motion for Default Judgment shall be held in abeyance until such time as the Plaintiff has filed the required affidavit.

IT IS FURTHER ORDERED that the Plaintiff shall submit a proposed Judgment through CyberClerk for the Clerk's signature.

IT IS SO ORDERED.

Signed: June 1, 2012


Martin Reidinger
United States District Judge

