

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:17-cv-514-RJC-DSC**

**RAFAEL ANTONIO GARCIA FLORES,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **YOSELIN YESSENIA MORALES** )  
 **ALVARADO, CARMEN LUCIDNA** )  
 **ALVARDO, and DAVID ALVARDO** )  
 )  
 **Defendants.** )  
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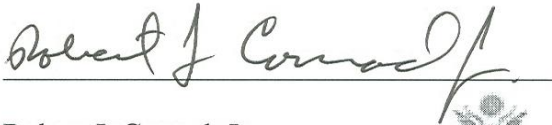
**ORDER**

**THIS MATTER** comes before the Court on Rafael Antonio Garcia Flores’ (“Plaintiff’s”) Motion for Entry of Default, (Doc. No. 4).

On August 25, 2017, Plaintiff filed before this Court an action petitioning the return of his son, a minor child, to El Salvador. (Doc. No. 1). After issuing summons, (Doc. No. 2), and filing an affidavit of service, (Doc. No. 3), Plaintiff then filed a Motion for Entry of Default against all three defendants, (Doc. No. 4). Soon after, defendant Yoselin Alvarado filed a Motion for Extension of Time, (Doc. No. 5), which Magistrate Judge Cayer granted, (Doc. No. 7). Upon review of the docket, defendant Yoselin Alvarado has continued to actively take part in the current litigation. Since Judge Cayer’s order granting an extension of time, Yoselin Alvarado has filed a Motion to Dismiss for Failure to state a Claim, (Doc. No. 8), which Plaintiff has responded to, (Doc. No. 9). As such, Plaintiff’s Motion for Entry of Default is **DENIED** as applied to Yoselin Alvarado but **GRANTED** as applied to defendants Carmen Lucidna Alvarado and David Alvarado.

**IT IS, THEREFORE, ORDERED** that Plaintiff's Motion for Entry of Default, (Doc. No. 4), is **GRANTED** in part and **DENIED** in part.

Signed: December 19, 2017

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

