

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DWAINE WRIGHT,

Plaintiff,

:

Case No. 3:15-cv-211

- vs -

District Judge Thomas M. Rose

Magistrate Judge Michael R. Merz

RION MacCONNELL,

Defendant.

:

**DECISION AND ORDER DENYING MOTION FOR DEFAULT
JUDGMENT WITHOUT PREJUDICE; UPDATE ON STATUS**

This case is before the Court on Plaintiff's Motion for Default Judgment in the amount of \$100,000 (ECF No. 34). Plaintiff correctly points out that Defendant is in default and the Clerk has entered that default of record. However, the Motion is not supported by any proof of damages, but merely makes a conclusory claim for \$100,000. Because the Motion makes no proof of the damages suffered by Plaintiff, it is DENIED without prejudice to its renewal with proof of the damages suffered.

The case is also before the Court on Plaintiff's Motion for Update Status (ECF No. 40). Attached is a copy of this Court's Bankruptcy Stay Order (ECF No. 37) and of a Motion to

Dismiss filed in the relevant bankruptcy case, No. 16-31707, which Plaintiff presumably received from the United States Trustee. The Court has received no further reports on the status of the bankruptcy case.

August 20, 2016.

s/ *Michael R. Merz*
United States Magistrate Judge