

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>THOMAS SMITH, et al.,</b>	:	<b>CIVIL ACTION NO. 1:17-CV-12</b>
	:	
<b>Plaintiffs</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>LAKEN MEEKS, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 30th day of November, 2017, upon consideration of the report (Doc. 29) of Magistrate Judge Martin C. Carlson, recommending the court find that *pro se* defendant Laken Meeks (“Meeks”) has abandoned this litigation, and further recommending that the court accordingly enter judgment against Meeks and in favor of interpleader defendants and crossclaim plaintiffs Kenneth Walter Keller and Robert P. Keller (“the Kellers”), and it appearing that Meeks has not objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should “afford some level of review to dispositive legal issues raised by the report,” Henderson, 812 F.2d t 878; see also Taylor v. Comm’r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int’l, Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010)), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b),

advisory committee notes, and, following independent review of the record, it appearing that Meeks has been absent from and failed to meaningfully participate in this litigation since the filing of her answer (Doc. 4) to plaintiff's interpleader complaint (Doc. 1) on January 23, 2017, and it further appearing that the Clerk of Court consequently entered default (Doc. 17) against Meeks for failure to plead or otherwise defend in response to the Kellers' crossclaim for declaratory judgment, see FED. R. CIV. P. 55(a), and the court being in full agreement with Judge Carlson's recommendation except to the limited extent that, rather than entering default judgment *sua sponte*, cf. FED. R. CIV. P. 55(b)(2), the court will task the Kellers to move for entry of default judgment pursuant to Federal Rule of Civil Procedure 55(b)(2), it is hereby ORDERED that:

1. The report (Doc. 29) of Magistrate Judge Carlson is ADOPTED.
2. Interpleader and crossclaim defendant Laken Meeks is deemed to have abandoned this litigation.
3. Interpleader defendants and crossclaim plaintiffs Kenneth Walter Keller and Robert P. Keller may move for entry of default judgment on or before **Friday, December 8, 2017.**

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania