

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

UNITED STATES OF AMERICA,	:	No. 4:16-cv-01405
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
GAYLE L. THOMAS,	:	
	:	
Defendant.	:	

MEMORANDUM

December 7, 2016

FINDINGS:

1. On July 7, 2016, Plaintiff, the United States of America, filed its Complaint in this action against the Defendant, Gayle L. Thomas. ECF No. 1;
2. Service of the operative Summons and Complaint was personally made upon the Defendant in accordance with Federal Rule of Civil Procedure 4(e). ECF No. 6 Ex. 1;
3. The Defendant has failed to timely answer Plaintiff's Complaint;

4. On October 26, 2016, the Clerk of Court entered Default as to the Defendant. ECF No. 9;
5. On October 26, 2016, Plaintiff moved for entry of Default Judgment as to the claims advanced in its Complaint against the Defendant. ECF No. 6;
6. The Defendant has failed to make an appearance in this action;
7. Plaintiff's claim is for \$93, 897.19 plus interest accruing upon the unpaid balance from April 8, 2016 at the daily rate of \$9.89 due on a June 28, 2005 loan from the United States Department of Agriculture in the principal amount of \$70,000.00. ECF No. 1 at 1;
8. Accordingly, Plaintiff's claim "is for a sum certain or a sum that can be made certain by computation" as contemplated by Federal Rule of Civil Procedure 55(b)(1);
9. Counsel for Plaintiff swears that, upon reasonable investigation, the Defendant is not believed to be presently in the military service of the United States. ECF No. 8;

10. On October 31, 2016, this Court issued a Notice and Order to Show Cause, ECF No. 10, directing as follows:

**IT IS HEREBY ORDERED** that the Defendant, within twenty-one (21) days of this Notice and Order to Show Cause and no later than **November 30, 2016 at 5:00 p.m.**, shall **SHOW CAUSE** as to why this Court should not grant Plaintiff's Motion for Default Judgment. In the event that the Defendant fails to show cause, the Defendant is **NOTICED** that this Court will grant Plaintiff's Motion for Default Judgment in full and will immediately award Plaintiff the entirety of the relief it seeks.

11. In that same Order, the Court further directed the Clerk of Court to mail a copy of the same to the Defendant at both of the following addresses of record:

**Gayle L. Thomas  
1080 Maple Street  
Sabinsville, PA 16943**

**Gayle L. Thomas  
P.O. Box 134  
Sabinsville, PA 16943**

12. The Clerk mailed a copy of the Notice and Order to Show Cause as directed. ECF No. 11;
13. As of today's date, no response has been received from Defendant.

**CONCLUSION:**

The Plaintiff, the **UNITED STATES OF AMERICA**, is entitled to the entry of default judgment, the Defendant, **GAYLE L. THOMAS**, having failed to show cause and having been noticed that this Court will grant Plaintiff's Motion for Default Judgment in full and will immediately award Plaintiff the entirety of the relief it seeks in the event of such failure. Accordingly, Plaintiff's Motion for Default Judgment, ECF No. 6, is **GRANTED**. An appropriate order shall issue.

BY THE COURT:

/s Matthew W. Brann  
Matthew W. Brann  
United States District Judge