United States of America v. Howard Doc. 14

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	**CIVIL NO. 3:12-0849**
v.	)	**JUDGE ALETA A. TRAUGER**
	)	
EUGENE HOWARD, JR.,	)	
	)	
Defendant.	)	

DEFAULT JUDGMENT

This matter is before the Court on Plaintiff, United States of America's, motion pursuant to Fed. R. Civ. P. 55(a) and 55(b)(1) of the Federal Rules of Civil Procedure, for a Default Judgment against the Defendant Eugene Howard, Jr. in the above-captioned case. It appearing to the Court that:

1. On August 20, 2012, the Plaintiff filed this action alleging that the Defendant owes the United States $9,455.60, plus accruing per diem interest. (D.E. 1.)

2. On September 6, 2012, the Plaintiff served the Summons and Complaint upon the Defendant at the Defendant's residence. (D.E. 3.)

3. Thereafter, Defendant failed to appear, plead, or otherwise defend this action within the time allowed and default has been entered. (D.E. 8 "Entry of Default.")

4. Plaintiff has filed a motion for Default Judgment By the Clerk with a supporting Declaration wherein it states Defendant owes a sum certain of $11,253.76 calculated through March 29, 2013.

5. Defendant has not opposed the Plaintiff's Motion for Default.

6. Defendant is not an infant or incompetent person and is not the in the Military service within the meaning of the Soldier's and Sailor's Civil Relief Act of 1940, as amended. (D.E. 5,

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Attachment 1.)

WHEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED that the Plaintiff shall have and recover from Defendant the sum of $11,253.76 dollars at the post-judgment interest rate of .15 percent (as calculated for the calendar week (March 18-March 24, 2013) preceding the date of entry of this judgment) from the date of this judgment, till paid, and that the Plaintiff have execution therefor.

Judgment rendered April 12, 2013.

_s/ Keith Throckmorton_____
KEITH THROCKMORTON
United States District Clerk