

**IN THE UNITED STATES DISTRICT COURT  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

Western Express, Inc.,	)	
	)	Case No. 3:16-cv-0299
Third-Party Plaintiff,	)	
	)	Judge Crenshaw
v.	)	
	)	
FJ Logistics, LLC,	)	
	)	
Third-Party Defendant.	)	

**ENTRY OF DEFAULT**

Pending is Third-Party Plaintiff Western Express’s Motion for Default against Third-Party Defendant FJ Logistics, LLC (Docket Entry No. 52). The Clerk will construe the motion as a request for entry of default pursuant to Federal Rule of Civil Procedure (FRCP) 55(a), as no default judgment may be granted pursuant to FRCP 55(b) until default has been entered pursuant to FRCP 55(a). *U.S. v. \$22,050.00 U.S. Currency*, 2008 WL 4093066 at page 3 (M.D. Tenn. Aug. 26, 2008); *Ramada Franchise Systems, Inc. v. Baroda Enterprises, LLC*, 220 F.R.D. 303, 305 (N.D. Ohio 2004).

Third-Party Defendant FJ Logistics, LLC has been served and a return of service has been filed with the Court (Docket Entry No. 46). No answer or other response has been filed and entry of default is appropriate. Accordingly, the Clerk hereby enters default against Third-Party Defendant FJ Logistics, LLC pursuant to Federal Rule of Civil Procedure 55(a). Third-Party Plaintiff may now proceed with a motion for default judgment pursuant to the appropriate subsection of Federal Rule of Civil Procedure 55(b).

s/ Keith Throckmorton  
Keith Throckmorton  
Clerk of Court