

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

United States District Court  
Southern District of Texas

**ENTERED**

January 04, 2018

David J. Bradley, Clerk

CRESCENT BANK & TRUST,

*Plaintiff,*

v.

Z AUTO PLACE, LLC,

*Defendant.*

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CIVIL ACTION H-17-3034

**ORDER**

Pending before the court is a request for entry of default (Dkt. 7) filed by plaintiff Crescent Bank & Trust under Fed. R. Civ. P. 55(a). However, the court’s procedures require that a party seeking a default judgment (1) file a motion for default judgment under Rule 55(b)(2); (2) follow Local Rule 5.5, which requires that the motion for default judgment be served on the defendant by certified mail, return receipt requested; and (3) comply with the Servicemembers Civil Relief Act. See Judge Miller’s Procedures ¶ 6(E). Because plaintiff filed a request for clerk’s entry of default under Rule 55(a) and not a motion for default judgment, the court STRIKES the request for failing to comply with the court’s procedures.

A motion for default judgment shall be properly filed within twenty days of the date of this order.

Signed at Houston, Texas on January 4, 2018.

  
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Gray H. Miller  
United States District Judge