

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

TAILEIA M. GLASS,

Plaintiff,

v.

TEXAS HEALTH AND HUMAN
SERVICES COMMISSION, et al.,

Defendants.

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6:16-CV-341-RP-JCM

ORDER

Before the Court in the above-entitled matter is Plaintiff's Motion for Default Judgment, which seeks the entry of judgment against Texas Health and Human Services. (Dkt. 66). Although Plaintiff's motion states that it is being filed "[i]n accordance with Federal Rule of Civil Procedure 55(a)," Plaintiff seeks relief pursuant to Rule 55(b). (*Id.* at 1, 3 (requesting that the Court "grant judgment against Texas Health and Human Services in the amount of \$14,000,000")); Fed. R. Civ. P. 55(b) ("If the plaintiff's claim is for a sum certain . . . the clerk . . . must enter judgment for that amount."). Because Plaintiff has not previously sought entry of default pursuant to Rule 55(a),¹ the instant motion must be and is hereby **DENIED**.

SIGNED on May 25, 2018.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE

¹ While Plaintiff may file a Rule 55(a) motion if she so chooses, the Court notes that Defendant Texas Health and Human Services ("THHS") has appeared in this case. (*See* THHS Mot. Extension, Dkt. 61; THHS Mot. Dismiss, Dkt. 63). The Court further notes that Plaintiff has not responded to THHS's motion to dismiss, which was filed on May 9, 2018. *See* W.D. Tex. Loc. R. CV-7(e)(2) (establishing a 14-day deadline for responding to dispositive motions). Although courts "liberally construe briefs of *pro se* litigants and apply less stringent standards to parties proceeding *pro se* than to parties represented by counsel, *pro se* parties must still brief the issues and reasonably comply with [federal procedural rules]." *Grant v. Cuellar*, 59 F.3d 524, 524 (5th Cir. 1995).