

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 TIMOTHY L. PALMER, DEANNA M. )  
 PALMER, THE LAND BOUNTIFUL ONE, )  
 PIERCE COUNTY , )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

Civil No. C08-5249 FDB

**ORDER DENYING  
COUNTERCLAIMANTS' REQUEST  
FOR ENTRY OF DEFAULT  
AGAINST UNITED STATES**

This matter comes before the Court on motion of Defendants for entry of default against the United States on the counterclaim of the Defendants Timothy and Deanna Palmer. The Court, having reviewed the motion, Defendants' pleadings and the record herein, is fully informed and denies the motion for default.


On January 22, 2009, this Court entered an Order dismissing with prejudice, the Palmers' counterclaim for failure to state a claim upon which relief can be granted. [Dkt. #55]. Consequentially, Defendants' motion for default is subject to dismissal as moot and without merit

ACCORDINGLY,;

IT IS ORDERED:

The Defendants' request for default [Dkt. #56] is **DENIED**.

DATED this 29<sup>th</sup> day of January, 2009

  
\_\_\_\_\_  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE