

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

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CP PRODUCTIONS, INC.,

Plaintiff,

v.

GERALD L. GLOVER, III,

Defendant.

CASE NO. 1:12-cv-00808-JMS-DML

Plaintiff's Motion for Clerk's Entry of Default, [dkt. 19], is **DENIED WITHOUT PREJUDICE** because Plaintiff has failed to include the affidavit required by the Servicemembers Civil Relief Act, 50 USC Appx. § 521. If Plaintiff does not know the individual Defendant's military status, it must consult the website the Department of Defense maintains so the public may comply with the Act.  
-- JMS, DJ, 01/22/2013

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**PLAINTIFF'S REQUEST TO ENTER DEFAULT**

Plaintiff CP Productions, Inc., by and through its counsel hereby requests that the Court enter default in this matter pursuant to Federal Rule of Civil Procedure 55(a) against Defendant Gerald L. Glover, III ("Defendant Glover"). Defendant Glover failed to appear or otherwise response to Plaintiff's Amended Complaint within the time prescribed by Federal Rule of Civil Procedure 12(a). Defendant Glover was personally served with the summons and amended complaint on November 16, 2012. (*See* Ex. A Proof of Service, attached hereto); (Decl. of Matthew E. Dumas ¶¶ 2-3, attached hereto as Ex. B).

Despite being properly served, Defendant Glover has not responded, either through an answer or a motion, nor has Defendant Glover appeared in this case. (Decl. of Matthew E. Dumas ¶ 4.) Further, Defendant Glover is neither a minor nor an incompetent person. (*Id.* ¶ 5.) For the foregoing reasons, Plaintiff respectfully requests that the Clerk of Court enter default as to Defendant Glover.