

IN SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

TWO RIVERS PUBLIC CHARTER SCHOOL,)	
)	
)	Civil Action No.: 2015 CA 009512 B
Plaintiff,)	Calendar 7
)	Judge Jeanette J. Clark
v.)	
)	Next Event:
ROBERT WEILER, JR., <i>et al.</i> ,)	Initial Scheduling Conference
)	April 29, 2016 at 9:30 a.m.
Defendant.)	

**ORDER GRANTING PLAINTIFF'S REQUEST FOR ENTRY OF DEFAULT AGAINST
DEFENDANT LAUREN HANDY**

Upon consideration of Plaintiff's Request for Entry of Default Against Defendant Lauren Handy ("Motion") that was filed on March 8, 2016, and the record herein, the Motion is granted.

The record indicates that Defendant Lauren Handy was personally served on February 13, 2016. See Affidavit of Process Server dated February 22, 2016. Defendant Lauren Handy's Answer to the Complaint should have been filed, no later than March 4, 2016.¹ However, there is no record of Defendant Lauren Handy filing an Answer to Plaintiff's Complaint.

Accordingly, default is entered against Defendant Lauren Handy for failing to file an Answer to Plaintiff's Complaint. See Super. Ct. Civ. 55(a) ("when a party against

¹ Pursuant to Super. Ct. Civ. R. 12(a)(1) "[u]nless a different time is prescribed in an applicable statute, a defendant shall serve an answer within 20 days after being served with the summons and complaint." Here, Defendant Lauren Handy failed to file an Answer to the Complaint in compliance with Super. Ct. Civ. R. 12(a)(1).

whom judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these Rules the Clerk or the Court shall enter the party's default.”).

However, pursuant to Super. Ct. Civ. R. 55(a):

Any order of default entered *sua sponte*, including a default for failure to respond to the complaint within the time prescribed in Rule 12(a), shall not take effect until fourteen (14) days after the date on which it is docketed and shall be vacated upon the granting of a motion filed by defendant within such 14 day period showing good cause why the default should not be entered.

Therefore, Defendant Lauren Handy may set aside the default pursuant to Super.

Ct. Civ. R. 55(c):

For good cause shown, and upon the filing of a verified answer setting up a defense sufficient if provide to bar the claim in whole or in part, the Court may set aside an entry of default. No answer need be filed if the movant accompanies the motion with a settlement agreement or a proposed consent judgment signed by both parties. In addition, an answer shall not be required when the movant asserts a lack of subject-matter or personal jurisdiction or when the default was entered after the movant had filed an answer.

Therefore, Defendant Lauren Handy is allowed 14 days from the date of this Order to show cause as to why the default should be vacated before default judgment can be entered.

WHEREFORE, it is this 9th day of March 2016, hereby,

ORDERED, that the Motion is **GRANTED**; and it is

FURTHER ORDERED, that **Default** is entered against Defendant Lauren Handy;

and it is

FURTHER ORDERED, that for each Motion filed, the parties shall e-mail a copy of the proposed order in Microsoft Word Format to the following e-mail addresses pursuant to this Court's General Order: Clarkjj2@dcsc.gov and Clarkjj3@dcsc.gov.

SO ORDERED.

A handwritten signature in cursive script that reads "Jeanette J. Clark".

Judge Jeanette J. Clark
D.C. Superior Court

Copies e-filed, e-served, and docketed on this 9th day of March 2016:

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