

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

CIVIL CASE NO. 6:04-CV-30 (WLS)

DENNY C. CORMIER

Plaintiff, Pro Se (Defendant in State action)

vs.

NANCY B. CORMIER

Defendant (Plaintiff in State action)

PLAINTIFF'S APPLICATION FOR DEFAULT
(Clerk's Entry of Default)

"...it is clear that among the decisions that an individual may make without unjustified government interference are personal decisions relating to marriage..." Carey v. Population Serv. Int'l, 431 U.S. 678, 684-685 (1977)

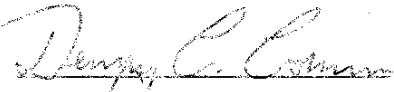
Plaintiff applies and moves the Clerk of the United States District Court, Middle District of the Eleventh Circuit Court to Enter Default against Defendant pursuant to Federal Rule of Civil Procedure Rule 55 and for failure to comply with Federal Rules of Civil Procedure Rule 55 (a) and Rule 12 (a) (1), i.e. failure to timely file an answer or reply:

1. June 22, 2004 Plaintiff removed Superior Court of Colquitt County, Georgia, Case Number 03-CVD-2211, to this Court based upon Federal question subject matter jurisdiction.
2. June 22, 2004 Plaintiff Filed a Notice of Removal and paid the appropriate fees to this court.

3. June 22, 2004 Plaintiff delivered via U.S. Mail a Notice of Removal and a Notice of Filing Notice of Removal with accompanying exhibit herein to:
 - a. Dwight May, Attorney for Defendant, Nancy B. Cormier,
 - b. and to the Clerk of the Superior Court of Colquitt County in Moultrie, Georgia.
4. The Defendant failed to reply within the allotted 30-day period in accordance with the Federal Rules of Civil Procedure.
5. Attached are the original verifications (return receipts) of Defendant's and Clerk of Superior Court of Colquitt County's notifications of Removal.

WHEREFORE for the above stated reasons the Plaintiff requests the Clerk to enter Default.

Respectfully submitted,



DENNY C. CORMIER, pro se
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Fax: None
Email: drcormier@doctor.com

Dated: September 20, 2004

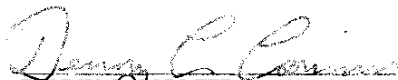
CERTIFICATE OF SERVICE

I hereby certify that on the 20 th day of September, 2004, I caused a true and accurate copy of the foregoing to be sent by U.S. Mail to:

Attorney For Nancy B. Cormier:
Dwight May, Esq.,
PO Box 1660
Moultrie, GA 31776
[FIRST CLASS MAIL]

Clerk of the Superior Court of Colquitt County
9 South Main Street
Moultrie GA 31768
[FIRST CLASS MAIL]

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