

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>TOOLA O. TAYLOR,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 11-cv-0645-MJR-SCW</b>
	)	
<b>JACK ASHBY, DAVID REDNOIR,</b>	)	
<b>TRACY LEE, JOHN DOE 1, JOHN DOE</b>	)	
<b>2, JOHN DOE 3, JAMES M. RYAN, GINA</b>	)	
<b>ALLEN, &amp; GLADYSE C. TAYLOR,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

**WILLIAMS, Magistrate Judge:**

Defendant James M. Ryan was reinstated as a defendant in this § 1983 civil rights action by Order of District Judge Michael J. Reagan on October 9, 2012. (Doc. 20). The next day, Ryan was mailed a Waiver of Service of Summons. (Doc. 21). Ryan executed and returned that Waiver on November 20, 2012. He has yet to file an answer or any other responsive pleading.

On January 28, 2013, *pro se* Plaintiff Toola O. Taylor, an inmate at Menard Correctional Center in the Illinois Department of Corrections, moved for issuance of summons as to Ryan, or alternatively for “a default declaration against him.” (Doc. 39, Doc. 42).<sup>1</sup> The Court construes the latter request as a motion for clerk’s entry of default.

As mentioned above, Defendant Ryan has already waived service: Plaintiff’s Request for Clerk to Issue Summons (**Doc. 39**) is therefore found **MOOT**. However, it does appear that Defendant Ryan is in default: his answer was due in early December 2012, and he has yet to file a

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<sup>1</sup> Because Plaintiff’s motion was captioned simply “Request for Clerk to Issue Summons,” a separate motion representing Taylor’s motion in-the-alternative was necessarily docketed at Docket No. 42. The two docket entries represent the same motion.

responsive pleading. (*See* Doc. 31, 2). Plaintiff's Motion for Entry of Default (**Doc. 42**) is therefore **GRANTED**. *See* Fed. R. Civ. P. 55(a). The Clerk is accordingly **DIRECTED** to enter Defendant Ryan's default on the record.

**IT IS SO ORDERED.**

**DATE: January 30, 2013**

*/s/ Stephen C. Williams*  
**STEPHEN C. WILLIAMS**  
United States Magistrate Judge