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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

REBECCA SCOFIELD,  
  
Plaintiff,

v.

ASHLEY GUILLARD,  
  
Defendant.

Case No. 3:22-cv-00521-REP

**MOTION FOR CLERK'S ENTRY OF  
DEFAULT**

Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiff Rebecca Scofield moves for a clerk's entry of default against Defendant Ashley Guillard.

**I. BACKGROUND**

Plaintiff filed her complaint seeking affirmative relief on December 21, 2022. Dkt. 1. On December 27, Defendant was served with the complaint, summons, and civil cover sheet in this matter. Dkt. 3. Defendant's deadline to file responsive pleadings was January 17, 2023. Fed. R. Civ. P. 12(a)(1)(A)(i). To date, Defendant has not filed responsive pleadings or otherwise appeared in this matter.

## **II. ARGUMENT**

The Clerk should enter default because Plaintiff seeks affirmative relief in her complaint, Defendant has been served, and Defendant has failed to file responsive pleadings or otherwise defend the claims made against her. The clerk's entry of default is thus mandatory under Federal Rule of Civil Procedure 55(a), which provides that: "When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default."

Following the Clerk's entry of default, Plaintiff will seek an entry of default judgment under Federal Rule of Civil Procedure 55(b).

## **III. CONCLUSION**

Plaintiff respectfully requests a clerk's entry of default against Defendant pursuant to Federal Rule of Civil Procedure 55(a).

DATED: January 19, 2023.

STOEL RIVES LLP

/s/ Wendy J. Olson

Wendy J. Olson

Elijah M. Watkins

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Attorneys for Plaintiff