

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

WILNICK DORVAL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 2018-32
	)	
RONALD CASHIO	)	
	)	
Defendants.	)	
	)	

APPEARANCES:

Wilnick Dorval
St. Thomas, U.S.V.I.
Pro se plaintiff.

ORDER

GÓMEZ, J.

Before the Court is the motion of the plaintiff, Wilnick Dorval ("Dorval") captioned "Rule 55 Motion for the Clerk of the District Court to Enter Default Judgment Against Ronald Cashio."

On June 1, 2018, Dorval commenced this civil action by filing a complaint in this Court. The Complaint names Ronald Cashio ("Cashio") as a defendant.

On June 27, 2018, Dorval filed proof of service. See Proof of Service, ECF No. 17. The proof of service indicates that a process server personally served Cashio on June 5, 2018. See *id.*

On February 7, 2019, Dorval filed a second proof of service. See Proof of Service, ECF No. 26. The second proof of service indicates that a process server personally served Cashio a second time on June 19, 2018. See *id.*

On February 15, 2019, Dorval filed a motion classified on the docket as a motion for default judgment. See Mot. for Default J., ECF No. 29. The document itself is captioned "Rule 55 Motion for the Clerk of the District Court to Enter Default Judgment Against Ronald Cashio." See *id.* In that motion, Dorval requests that "the clerk of this District Court [] enter default judgment pursuant to Rule 55(a) of the Federal Rule of Civil Procedures against defendant Ronald Cashio for failure to plead and/or defend." *Id.* at 1. Additionally, Dorval quotes the requirements of Federal Rule of Civil Procedure 55(a) ("Rule 55(a)"). *Id.* at 2. Rule 55(a) addresses the entry of default after a defendant fails to answer or otherwise defend a properly served complaint. In light of those circumstances, the Court construes Dorval's petition as a request for entry of default. Consistent with that view, the Clerk of Court entered default on April 18, 2019.

The premises considered; it is hereby

ORDERED that Dorval's motion for default judgment, ECF No. 29, is **MOOT**.

s\ _____
Curtis V. Gómez
District Judge