

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DAVID J. KIEWEL, and
K9 WORKING DOGS
INTERNATIONAL, LLC ,

Plaintiffs,

v.

Case No. 10-2113-JTM

IVAN BALABANOV, and
THE DOGHOUSE, LLC,

Defendants.

MEMORANDUM AND ORDER

This matter is before the court on the plaintiffs', David Kiewel and K9 Working Dogs International, LLC, request for clerk's entry of default. (Dkt. No. 10). The plaintiffs filed a complaint against the defendants, Ivan Balabanov and the Doghouse, LLC, on February 26, 2010. (Dkt. No. 1).

The application for clerk's entry of default is hereby granted. Rule 55(a) provides that default may be granted when a party "fail[s] to plead or otherwise defend as provided by these rules." To avoid default, a defendant must serve an answer within twenty days after being served with the summons and complaint. *See* Fed.R.Civ.P. 12(a); Fed.R.Civ.P. 55(a).

A copy of the Summons and Complaint were served upon Balabanov and the Doghouse, LLC, on March 18, 2010. (Dkt. Nos. 5 & 6). No answer has been filed and more than twenty days have passed since they were served with the Summons and Complaint.

IT IS ACCORDINGLY ORDERED this 12th day of July, 2010, that plaintiffs' motion for clerk's entry of default (Dkt. No. 10) is granted.

TIMOTHY M. O'BRIEN
Clerk of Court

By s/ S. Smith

Courtroom Deputy