

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

**DANIEL R. DOTSON,**

**Plaintiff,**

**v.**

**Case No: 5:22-cv-479-WFJ-PRL**

**RICKY DIXON,**

**Defendant.**

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**ORDER**

This matter comes before the Court on Daniel Dotson’s (“Plaintiff”) Motion for Default Judgment. (Doc. 44). Defendant filed a Response in opposition. (Doc. 45). After careful consideration, the Court denies Plaintiff’s Motion for Default Judgment.

On September 25, 2023, the Court directed the parties to “prepare and file cross-motions for summary judgment within thirty days, and may file cross responses to same twenty days thereafter.” (Doc. 36). Parties were further warned that “[f]ailure to file a cross-motion may result in default for the failure.” *Id.* Plaintiff claims that Defendant failed to comply with the Court’s deadlines. (Doc. 44).

On October 23, 2023, Plaintiff’s Motion for Summary Judgment was docketed. (Doc. 39). Under Rule 6(a)(1)C, Fed. R. Civ. P., if the last day of a deadline is a Sunday, the “period continues to run until the end of the next day that is not a Saturday, Sunday or legal holiday.” The twentieth day following Plaintiff’s Motion was Sunday, November 12, 2023. Thus, Plaintiff’s Response, filed on Monday,

November 13, 2023, was timely. Further, on October 25, 2023, Defendant timely filed his Motion for Summary Judgment. (Doc. 40). Because Defendant's motion and response were timely filed, Plaintiff's Motion (Doc. 44) is **DENIED**.

**DONE AND ORDERED** at Tampa, Florida on September 17, 2024.

  
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**WILLIAM F. JUNG**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**

Counsel of Record  
Pro Se Party