



ELECTRONICALLY FILED
5/11/2022 3:31 PM
58-DV-2021-901029.00
DISTRICT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

TRANSPORTATION SOUTH, LLC,

Plaintiff,

vs.

RONALD HENRY,

Defendant.

Case No.:

58-DV-2021-901029

RECEIVED AND FILED
MARY H. HARRIS

DEC 12 2022

CIRCUIT & DISTRICT
COURT CLERK
SHELBY COUNTY

**MOTION FOR ENTRY OF DEFAULT JUDGMENT
FOR A SUM CERTAIN BY CLERK OF COURT**

COMES NOW Plaintiff, Transportation South, LLC ("Plaintiff"), pursuant to Rule 55 of the Alabama Rules of Civil Procedure, and moves for entry of default judgment by the Clerk of Court in the above-styled action. In support of the motion, Plaintiff states as follows:

1. On December 14, 2021, Plaintiff filed its Complaint against defendant Ronald Henry for breach of contract, seeking damages in the amount of \$8,560.08 for services provided. (Doc. 2). (See Affidavit of George H. Law, Jr., with exhibits, stating and confirming that \$8,509.03 is the amount due and owing by defendant Henry, attached hereto as Exhibit 1 and incorporated herein by reference.)

2. The Complaint and Summons were served on Ronald Henry by U.S. certified mail on December 29, 2021. (See Docs. 7 and 9).

3. As of today's date, defendant Henry has failed to file a response to the Complaint or make any other appearance in this action within the time required under the Alabama Rules of Civil Procedure. He is now in default and has been for approximately three months. See

ALA.R.Civ.P. 12.



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Shelby Cnty Judge of Probate, AL
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Shelby Cnty Judge of Probate, AL
12/12/2022 12:08:11 PM FILED/CERT

4. Pursuant to Rule 55(b)(1) of the Alabama Rules of Civil Procedure, THE Clerk of this Court is authorized and directed to enter a judgment of default against a defendant in default when the sum is certain, as has been established here by Plaintiff through the attached Affidavit. In addition, the Clerk of Court is authorized and directed by Rule 55(b)(1) to include the costs of this action in the judgment amount.

5. Under Rule 55(b)(1), no hearing is required by the requested default judgment may be entered and Plaintiff does not request a hearing on this Motion.

WHEREFORE, based on the foregoing, Plaintiff moves for THE entry of default judgment by the Clerk of Court in the amount of \$8,560.08, plus the costs of this action.

This the 11th day of May, 2022.

/s/ Michael E. Turner

Michael E. Turner

One of the attorneys for
Plaintiff, Transportation South, Inc.

OF COUNSEL:

PHELPS DUNBAR LLP
2001 Park Place North, Suite 700
Birmingham, Alabama 35203
Telephone: 205-716-5200
Facsimile: 205-716-5389
Email: Michael.Turner@phelps.com



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **MOTION FOR ENTRY OF DEFAULT JUDGMENT FOR A SUM CERTAIN BY CLERK OF COURT** was electronically filed on this date with the District Court of Shelby County, Alabama, using the AlaFile system, which will send electronic notification of filing to all counsel of record. I further certify that on this date I served a true and accurate copy of the foregoing on the Defendant by regular U.S. Mail, properly addressed and postage prepaid, as follows:

Ronald Henry
891 10th Street SW
Alabaster, AL 35007

This the 11th day of May, 2022.

/s/ Michael E. Turner
OF COUNSEL



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7/8/2022 12:29 PM
58-DV-2021-901029.00
DISTRICT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

TRANSPORTATION SOUTH, INC.,)

Plaintiff,)

V.)

HENRY RONALD,)
Defendant.)

) Case No.: DV-2021-901029.00

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DEC 12 2022

DEFAULT JUDGMENT ORDER

CIRCUIT & DISTRICT
COURT CLERK
SHELBY COUNTY

This cause came before the court upon motion by Plaintiff for judgment by default. Having considered the motion and the evidence presented, the court finds that said motion is due to be, and it hereby is, **GRANTED**. Accordingly, it is **ORDERED** that judgment by default is entered in favor of Plaintiff and against Defendant in the amount of \$ 8,560.08.

Costs of court are taxed to Defendant.

DONE this 8th day of July, 2022.

/s/ HUB HARRINGTON
DISTRICT JUDGE



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