

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

DESMOND DARNELL DANIELS,

Plaintiff,

VS.

OFC THOMAS, *et al.*,

Defendants.

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Case No. 1:23-cv-212 (WLS)

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**ORDER**

Defendant Thomas filed a Motion to Set Aside the Default against him in the above-styled 42 U.S.C. § 1983 action. (Doc. 30). Because Plaintiff is proceeding *pro se*, the Court deems it appropriate and necessary to advise him of his right to respond to said motion and of the consequences which he may suffer if he fails to file a response thereto. Plaintiff is directed to respond to Defendant Thomas' Motion to Set Aside Default.

Plaintiff is advised that:

- (1) Defendant Thomas filed a Motion to Set Aside the Default against him;
- (2) Plaintiff has the right to oppose the granting of said motion; and
- (3) if Plaintiff fails to oppose said motion, the default against Defendant Thomas may be set aside.

Plaintiff is further advised that under the procedures and policies of this Court, motions to set aside default are normally decided on briefs. The Court considers the pleadings and briefs filed by the parties in deciding whether setting aside a default is appropriate under the law.

**FAILURE OF PLAINTIFF TO RESPOND TO THE MOTION TO SET ASIDE  
DEFAULT MAY RESULT IN THE COURT GRANTING THE MOTION.**

Accordingly, Plaintiff is ORDERED and DIRECTED to file any desired response to Defendant Thomas' Motion to Set Aside Default **WITHIN TWENTY-ONE (21) DAYS** of the date of this Order. Defendant Thomas may file any desired reply within fourteen (14) days of the filing of Plaintiff's response. Thereafter, the Court will consider the motion and any opposition to same filed by Plaintiff.

**SO ORDERED**, this 18th day of August, 2025.

s/ **ALFREDA L. SHEPPARD**  
UNITED STATES MAGISTRATE JUDGE