IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION

UNITED STATES OF AMERICA, **PLAINTIFF,**

v. **CIVIL ACTION NO. 5:24-cv-00456**

RYAN BAILEY *and* RKB, INC., **DEFENDANT.**

MOTION TO SET ASIDE ENTRY OF DEFAULT BY CLERK

Comes now counsel for Defendant, Ryan Bailey, and moves to set aside the *Entry of Default By Clerk* entered on the 16th day of October, 2024, in support thereof, Counsel would state that Defendant Bailey was in transition of attorney's representation during the times in question and undersigned was not appointed Defendant Bailey's counsel until October 24, 2024; see attached Exhibit A.

Respectfully submitted,

RYAN BAILEY
By Counsel

G. TODD HOUCK
COUNSEL FOR DEFENDANT BAILEY

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing "MOTION TO SET ASIDE ENTRY OF DEFAULT BY CLERK" has been electronically filed with the Clerk of this Court, this 15th day of November, 2024, using the CM/ECF system and served upon opposing counsel as follows:

VIA CM/ECF: Fred B. Westfall, Jr.
Assistant United States Attorney
300 Virginia Street East, Room 4000
Charleston, WV 25301

DATE: November 15, 2024

/s/G. Todd Houck 5674
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