

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MATTHEW D. GUERTIN

Plaintiff,

v.

HENNEPIN COUNTY, a municipal entity;

KEITH ELLISON, in his official
capacity as Minnesota Attorney General;

MARY MORIARTY, in her official
capacity as Hennepin County Attorney;

CHELA GUZMAN-WEIGART, in her
official capacity as Assistant County
Administrator for Law, Safety, and Justice;

JULIA DAYTON-KLEIN, in her
individual capacity;

GEORGE F. BORER, in his
individual capacity;

DANIELLE C. MERCURIO, in her
individual capacity;

DR. JILL ROGSTAD, in her official
capacity as Senior Clinical Forensic
Psychologist in the Fourth Judicial District;

DR. ADAM MILZ, in his official capacity
with Hennepin County Mental Health;

JACQUELINE PEREZ, in her
official capacity as Assistant Hennepin
County Attorney;

BRUCE M. RIVERS, in his
individual capacity.

Defendants.

Case No: 24-cv-02646-JRT-DLM

**PLAINTIFF'S REQUEST FOR
ENTRY OF DEFAULT AGAINST
DEFENDANT BRUCE M. RIVERS**

I. INTRODUCTION

1. Plaintiff, Matthew Guertin, respectfully requests that the Clerk of the Court enter a default against Defendant Bruce M. Rivers pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. This request is made on the grounds that Defendant Rivers has failed to respond to the complaint within the time required by law.

II. BACKGROUND

A. Complaint Filed

Plaintiff filed his Complaint in this action on July 8, 2024, naming Bruce M. Rivers as one of the Defendants. The Complaint was served on Defendant Rivers on July 15, 2024.

B. Service

Proper service was made upon Defendant Rivers, as evidenced by the Affidavit of Service filed with this Court on July 12, 2024.

C. No Response

Defendant Rivers has failed to file an answer, motion, or otherwise respond to the Complaint within the time period allowed by law, which is 21 days after service of the Complaint.

D. Ongoing Involvement

Despite his failure to respond to the Complaint, Bruce M. Rivers has continued to represent the Plaintiff despite his objection. This is why the Plaintiff can confirm that Bruce Rivers is most certainly aware this Federal Complaint, as he directly acknowledged its existence in open court during the Plaintiff's July 16, 2024 review hearing that took place at 1:30 PM in addition to making many mentions of it directly to the Plaintiff.

III. LEGAL STANDARD

Under Rule 55(a) of the Federal Rules of Civil Procedure, the Clerk of Court must enter a default against a party who has failed to plead or otherwise defend against a complaint within the time required by law.

IV. REQUEST FOR ENTRY OF DEFAULT

Based on the above, Plaintiff respectfully requests that the Clerk of the Court enter a default against Defendant Bruce M. Rivers for failure to respond to the Complaint within the time prescribed by law.

V. CONCLUSION

For the reasons stated above, Plaintiff respectfully requests that the Court grant this Request for Entry of Default against Defendant Bruce M. Rivers, noting his failure to participate in the proceedings in accordance with the Federal Rules of Civil Procedure.

Dated: August 18, 2024

Respectfully submitted,

/s/ Matthew D. Guertin

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