

ORIGINAL

In the United States Court of Federal Claims

No. 15-1509C
(Filed February 18, 2016)
NOT FOR PUBLICATION

FILED

FEB 18 2016

U.S. COURT OF
FEDERAL CLAIMS

ANTHONY JOHNSON,

Plaintiff,

v.

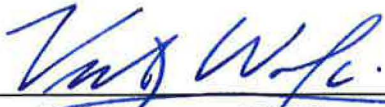
THE UNITED STATES,

Defendant.

ORDER

On February 16, 2016, Mr. Johnson filed a "Motion for Judgment by Default" under Rule 55 of the Rules of the United States Court of Federal Claims (RCFC). He bases this motion on his belief that the government failed to timely file an answer to the complaint. On February 12, 2016, the date on which a response to plaintiff's complaint was due, the government filed a motion to dismiss plaintiff's complaint. Under the RCFC 12(a)(4), a motion to dismiss satisfies the government's obligation to respond to the complaint. Therefore, plaintiff's motion is **DENIED**.

IT IS SO ORDERED.



VICTOR J. WOLSKI
Judge