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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

DEC 15 2011

CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
BY \_\_\_\_\_

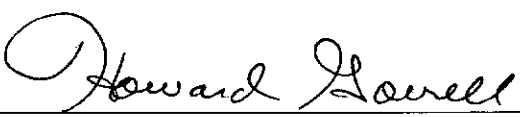
**HOWARD LEE GORRELL** )  
 )  
 **Plaintiff,** )  
 )  
 )  
 v. )  
 )  
 **MARTIN O'MALLEY,** )  
 **in his Official Capacity as** )  
 **Governor of the State of Maryland** )  
 )  
 **Defendant.** )  
 )

**Civil Action No. 1:11-CV-02975 (WDQ)**

**MOTION FOR ENTRY OF JUDGMENT BY DEFAULT [1]**

Plaintiff Howard Lee Gorrell requests that enter of judgment by default against Defendant Martin O'Malley pursuant to Federal Rule of Civil Procedure 55(b). In support of this request, Plaintiff relies upon the record in this case and the affidavit submitted herein.

Dated this 14<sup>th</sup> day of December 2011.

  
\_\_\_\_\_  
Howard Lee Gorrell  
Pro se Plaintiff

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[1] Because Plaintiff is acting *pro se*, the documents which he has filed in this case are held to a less stringent standard than if they were prepared by a lawyer and therefore, they are construed liberally. See *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972). *Davis v. Dimensions Health Corp.*, 639 F. Supp.2d 610, 613 (D. Md. 2009)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

HOWARD LEE GORRELL )

Plaintiff, )

v. )

MARTIN O'MALLEY, )  
in his Official Capacity as )  
Governor of the State of Maryland )

Defendant. )

Civil Action No. 1:11-CV-02975 (WDQ)

AFFIDAVIT IN SUPPORT OF  
MOTION FOR ENTRY OF JUDGMENT BY DEFAULT [1]

I, Howard Lee Gorrell, being duly sworn, state as follows:

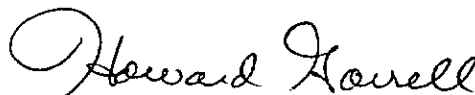
1. I am a *pro se* plaintiff in the above-entitled action.
2. My complaint was filed on October 27, 2011
3. My amended complaint was filed on November 10, 2011.
4. My motion for appointment of counsel was filed on November 10, 2011
5. The summons was issued on November 18, 2011.
6. My motion for leave to file an amended complaint was filed on November 23, 2011.
7. As of this filing, I have not received the proof of service from Defendant.

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[1] Because Plaintiff is acting *pro se*, the documents which he has filed in this case are held to a less stringent standard than if they were prepared by a lawyer and therefore, they are construed liberally. See *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972). *Davis v. Dimensions Health Corp.*, 639 F. Supp.2d 610, 613 (D. Md. 2009)

8. An answer to my motion for appointment of counsel was due on November 28, 2011. No response was served within the time allowed by law nor has Defendant sought additional time within which to respond.
9. An answer to my amended complaint was due on Monday, December 12, 2011. No response was served within the time allowed by law nor has Defendant sought additional time within which to respond.
10. The default of defendant was entered on the \_\_\_\_\_ day of December 2011..
11. As required by the Servicemembers Civil Relief Act of 2003, I have confirmed that I am not currently in active military service due to my deafness.
12. I am not an infant or incompetent person.
13. I respectfully pray the court to enter a default judgment for me against Defendant with a hearing before a three-judge panel pursuant to 28 U.S.C. § 2284 so that a court with the authority to establish any necessary redistricting plan is constituted in a timely manner.

Dated this 14<sup>th</sup> day of December 2011.



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Howard Lee Gorrell, Affiant

