

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, GALVESTON DIVISION

PNC Bank, National Association v. Castlewall Enterprise, LLC, et al.

PNC Bank v. Castlewall Enterprise · No. 3:25-cv-00361 · Decided March 11, 2026

SUMMARY

The court withdraws the Clerk’s Entry of Default against Castlewall Enterprise, LLC, Tanya Bell, and Keith Bell because the record does not show that the defendants were properly served with PNC Bank’s motion for entry of default or other subsequent filings. The court denies PNC’s motion for default judgment without prejudice as moot. PNC must properly serve the defendants with every filing before further action will be taken.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Galveston Division
WRITING FOR THE COURT	Andrew M. Edison
JURISDICTION	United States District Court for the Southern District of Texas, Galveston Division
DECIDED	March 11, 2026
DOCKET	3:25-cv-00361
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for default judgment after the Clerk entered default against the defendants. The matter had been referred to the magistrate judge for all pretrial purposes.
STANDARD OF REVIEW	The court reviewed whether default had been properly entered and whether default judgment could be considered while service and default remained procedurally defective.
PRECEDENTIAL VALUE	Unknown; district court opinion and source metadata identify no precedential status.

TOPICS

- default
- default judgment
- service of process
- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether default could properly be entered when the plaintiff had not served the defendants with its motion for entry of default.
2. Whether the court could consider the plaintiff's motion for default judgment when no defendant was properly in default.
3. Whether the plaintiff must serve the defendants with every filing made before default is entered.

HOLDINGS

1. Default should not have been entered because, before default was entered, PNC was required to serve its motion for entry of default on each defendant and the record showed no such service.
2. The motion for default judgment could not be considered because no defendant was properly in default; the motion was denied without prejudice as moot.
3. PNC must properly serve the defendants with every document it has filed in the case, and no further action will be taken until PNC demonstrates that service has been completed.

KEY QUOTATIONS

“That means that until the court has entered default, all motions, notices, and requests must be served on all parties.” (Opinion and Order)

“Because there is no indication in the record that any defendant has been served with any filing in this case after the initial service of summons—including and especially PNC’s motion for entry of default—default should not have been entered against any defendant.” (Opinion and Order)

“PNC must properly serve Defendants with every document that PNC has filed in this case. No further action will be taken in this case until PNC demonstrates to this court that it has served all its filings in this case on Defendants.” (Opinion and Order)

FACTUAL BACKGROUND

PNC sued Castlewall Enterprise, LLC, Tanya Bell, and Keith Bell. Although the defendants were served with the summons, the record did not indicate that they were served with PNC's subsequent filings, including the motion for entry of default. PNC's later motion for default judgment therefore followed an entry of default that had been made without the required service of the default motion.

PROCEDURAL HISTORY

PNC filed the action on May 16, 2025. Castlewall Enterprise, LLC and Tanya Bell were served on June 13, 2025, and Keith Bell was served on December 2, 2025. PNC moved for entry of default on February 4, 2026, and default was entered on February 11, 2026, although the record did not show that the motion for entry of default had been served. PNC then moved for default judgment on March 10, 2026. The court withdrew the Clerk's entry of default and denied the motion for default judgment without prejudice as moot.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. PNC must properly serve the defendants with every document filed in the case and demonstrate to the court that service has been completed. No further action will be taken until that showing is made. PNC may renew a motion for default judgment only after default has been properly entered.

CASES CITED

- Regal Nails, Salon & Spa, LLC v. Ha, No. 20-14388, 2021 WL 4976529, at *4 (S.D. Fla. Sept. 9, 2021)
- N.Y. Life Ins. Co. v. Brown, 84 F.3d 137, 141 (5th Cir. 1996)
- Carey v. Hannah, Kendrix, Zachary & Assocs., No. 1:11-cv-1782, 2011 WL 13322458, at *1 n.1 (N.D. Ga. Sept. 2, 2011)
- Jou v. Adalian, No. 09-226, 2009 WL 4798204, at *1 (D. Haw. Dec. 3, 2009)
- Field v. Exponential Wealth Inc., No. 21 Civ. 1990, 2023 WL 2263120, at *7 (S.D.N.Y. Feb. 27, 2023)
- Griffin v. Philips, No. 4:22-cv-268, 2023 WL 129416, at *2 (S.D. Ga. Jan. 9, 2023)