

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF  
FLORIDA, ORLANDO DIVISION

United States v. Scherer

No. 6:25-cv-1510-JSS-LHP (M.D. Fla. Jan. 15, 2026) · No. 6:25-cv-1510-JSS-LHP · Decided January 15, 2026

SUMMARY

The United States District Court for the Middle District of Florida partially grants the United States’ request for entry of default in a civil action involving Ronald Earl Scherer and several property-related entities. The Court directs the Clerk to enter default against Scherer but denies without prejudice the request as to two associations because the motion did not establish that service on their registered agent was proper under federal or Florida law.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Middle District of Florida, Orlando Division                                                                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Leslie A. Price                                                                                                                                                                                                                                                                                                                                                        |
| JURISDICTION          | United States District Court for the Middle District of Florida, Orlando Division                                                                                                                                                                                                                                                                                      |
| DECIDED               | January 15, 2026                                                                                                                                                                                                                                                                                                                                                       |
| DOCKET                | 6:25-cv-1510-JSS-LHP                                                                                                                                                                                                                                                                                                                                                   |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                  |
| PROCEDURAL POSTURE    | The United States moved for entry of default against Ronald Earl Scherer, Sr., The Lionspaw Community Owners Association, Inc., and The International Residential Owners Association, Inc. The court granted the motion as to Scherer, denied it without prejudice as to the two associations, and directed the plaintiff to file a renewed motion addressing service. |
| STANDARD OF REVIEW    | Before entering a clerk’s default, the court must determine that the defendant was properly served.                                                                                                                                                                                                                                                                    |
| PRECEDENTIAL VALUE    | unpublished, nonprecedential district court order                                                                                                                                                                                                                                                                                                                      |

TOPICS

- default
- service of process
- civil procedure

## PRACTICE AREAS

civil procedure

federal tax lien enforcement

## QUESTIONS PRESENTED

1. Whether the court could direct entry of default against Ronald Earl Scherer, Sr.
2. Whether the United States established that service on The Lionspaw Community Owners Association, Inc., and The International Residential Owners Association, Inc., was proper so that clerk's default could be entered against them.

## HOLDINGS

1. The court granted the United States' request in part and directed the Clerk of Court to enter default against Ronald Earl Scherer, Sr.
2. The court denied without prejudice the request for entry of default against the two associations because the motion did not establish that service was proper under federal or Florida law.

## KEY QUOTATIONS

*“before a Clerk’s default can be entered against a defendant, the Court must determine that the defendant was properly served”* (Order)

*“Without this information, the Court cannot determine whether Plaintiff properly effected service on Lionspaw and International Residential.”* (Order)

## FACTUAL BACKGROUND

The United States sought entry of default against Ronald Earl Scherer, Sr., The Lionspaw Community Owners Association, Inc., and The International Residential Owners Association, Inc. Returns of service for the two associations stated that summonses were served on Susie Stanford at the registered agent's address and described her as a person designated by law to accept service. The motion did not establish Stanford's relationship to or legal authority from Solaris Management, Inc., the associations' registered agent.

## PROCEDURAL HISTORY

The United States filed an action to enforce a federal tax lien and sought entry of clerk's default against three defendants. The court concluded that the motion established a basis for default against Scherer but did not adequately establish that service on Lionspaw or International Residential complied with federal or Florida law.

## DISPOSITION

other

## REMAND INSTRUCTIONS

Within twenty-one days of the date of the order, the United States must file a renewed motion for entry of default against The Lionspaw Community Owners Association, Inc., and The International Residential Owners Association, Inc., fully supported by legal authority and relevant evidence addressing the adequacy of service.

#### CASES CITED

- United States v. Donald, No. 3:09-cv-147-J-32HTS, 2009 WL 1810357, at \*1 (M.D. Fla. June 24, 2009)
- Fitzgerald v. Trans Union, LLC, No. 5:25-cv-496-JA-PRL, 2025 WL 3240095, at \*2-3 (M.D. Fla. Nov. 20, 2025)
- Nutramax Lab'ys, Inc. v. Ohmi Invs. LLC, No. 6:24-cv-1242-CEM-EJK, 2024 WL 5298610, at \*1 (M.D. Fla. Dec. 10, 2024)

#### OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION UNITED STATES OF AMERICA, Plaintiff, v. Case No: 6:25-cv-1510-JSS-LHP RONALD EARL SCHERER, SR., CITIBANK, N.A., NEW RESIDENTIAL MORTGAGE LOAN TRUST 2015-2, THE LIONSPAW GRAND NEIGHBORHOOD OWNERS ASSOCIATION, INC., THE LIONSPAW COMMUNITY OWNERS ASSOCIATION, INC., THE INTERNATIONAL RESIDENTIAL OWNERS ASSOCIATION, INC., VOLUSIA COUNTY TAX COLLECTOR and ABSOLUTE FINANCE, LLC, Defendants ORDER (And Direction to Clerk) Before the Court is Plaintiff United States' Request for Entry of Default Against Defendants Ronald Earl Scherer, Sr., The Lionspaw Community Owners Association, Inc., and The International Residential Owners Association, Inc. Doc.

No. 51. On review, the motion (Doc. No. 51) will be GRANTED in part, to the extent it seeks entry of default against Mr. Scherer, and the Clerk of Court is DIRECTED to enter default against Mr. Scherer. However, the motion (Doc. No. 51) does not demonstrate by citation to legal authority or otherwise that service upon Defendants The Lionspaw Community Owners Association, Inc. ("Lionspaw") and The International Residential Owners Association, Inc. ("International Residential") was proper under federal law.<sup>1</sup> See generally United States v. Donald, No. 3:09-cv-147-J-32HTS, 2009 WL 1810357, at \*1 (M.D.

Fla. June 24, 2009) (before a Clerk's default can be entered against a defendant, the Court must determine that the defendant was properly served). Specifically, the returns of service for Lionspaw and International Residential state that the summons was served by serving Susie Stanford, "who is designated by law to accept service" at "1452 N US Highway 1 Ste 102, Ormond Beach, FL 32174." Doc.

Nos. 8, 48. Plaintiff's motion states that this address is that of Lionspaw and International Residential's registered agent, Solaris Management, Inc. Doc. No. 51, at 6, 8; see also Doc. No. 51-1 ¶¶ 8, 12. However, Plaintiff's motion fails to provide information regarding Susie Stanford's

relationship to Solaris Management, Inc., if any (whether an employee, or otherwise), and such 1  
The motion (Doc.

No. 51) only references Federal Rule of Civil Procedure 4, and does not discuss whether service was proper under Florida law. information is not apparent from the Court's review of the Division of Corporation's website. Without this information, the Court cannot determine whether Plaintiff properly effected service on Lionspaw and International Residential.

See Fitzgerald v. Trans Union, LLC, No. 5:25-cv-496-JA-PRL, 2025 WL 3240095, at \*2-3 (M.D. Fla. Nov. 20, 2025) (denying without prejudice motion for Clerk's default where service made at registered agent's address, upon individual "designated by law to accept service of process on behalf of" the defendant, because the motion and proof of service "fail to adequately explain how" individual was authorized to accept service); Nutramax Lab'ys, Inc. v. Ohmi Invs.

LLC, No. 6:24-cv- 1242-CEM-EJK, 2024 WL 5298610, at \*1 (M.D. Fla. Dec. 10, 2024) (denying without prejudice motion for Clerk's default where service made upon individual designated by law to accept service, in part because plaintiffs failed to explain how individual was authorized by law to accept service).

Accordingly, Plaintiff's motion is DENIED without prejudice as to Lionspaw and International Residential. Within twenty-one (21) days of the date of this Order, Plaintiff shall file a renewed motion, fully supported by legal authority and any relevant evidence, which addresses the issues identified herein. DONE and ORDERED in Orlando, Florida on January 15, 2026.

Oy ☐☐ LESLIE AN PRICE UNITED STATES MAGISTRATE JUDGE Copies furnished to:  
Counsel of Record A!