

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, SHREVEPORT DIVISION

Mark Anthony Troxler v. Denis McDonough et al.

Mark Anthony Troxler v. Denis McDonough et al. · No. 25-cv-074 LEAD · Decided March 3, 2026

SUMMARY

The U.S. District Court for the Western District of Louisiana denies or rejects the plaintiff's repeated requests for a default judgment against the federal government and explains that Federal Rule of Civil Procedure 55(d) requires substantial evidence supporting a claim before default judgment may be entered against the United States. The court warns the plaintiff to stop filing meritless submissions and personal attacks on counsel, stating that continued improper filings could result in dismissal as a sanction.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Shreveport Division
WRITING FOR THE COURT	Mark L. Hornsby, U.S. Magistrate Judge
JURISDICTION	United States District Court for the Western District of Louisiana, Shreveport Division
DECIDED	March 3, 2026
DOCKET	25-cv-074 LEAD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for default judgment against the Secretary of the Department of Veterans Affairs and challenged the government's request for additional time to respond. The court issued a memorandum order addressing the default-judgment requests and warning plaintiff that continued meritless or improper filings and personal attacks on counsel could result in dismissal as a sanction.
STANDARD OF REVIEW	A default judgment against the United States, its officers, or its agencies requires evidence satisfying the court and substantial evidence supporting the claimant's entitlement to relief; default judgments are disfavored and cases are generally resolved on their merits.
PRECEDENTIAL VALUE	Unknown; memorandum order from a federal district court

TOPICS

default judgment sanctions civil procedure ada discrimination employment discrimination

PRACTICE AREAS

civil procedure employment law civil rights ada / disability

QUESTIONS PRESENTED

1. Whether Troxler was entitled to a default judgment against the United States or its officers based on an alleged procedural failure to respond timely.
2. Whether continued meritless filings and personal attacks on opposing counsel warranted a warning that dismissal could be imposed as a sanction.

HOLDINGS

1. A default judgment may not be entered against the United States, its officers, or its agencies based merely on a procedural default; the claimant must establish the claim or right to relief with evidence satisfying the court, which requires substantial evidence. Troxler did not make that showing and was not entitled to default judgment.
2. The court warned Troxler that continued filing of meritless or improper submissions containing personal attacks on counsel could result in dismissal of his case as an appropriate sanction.

KEY QUOTATIONS

“Default judgments are a drastic remedy, not favored by the Federal Rules and resorted to by the courts only in extreme situations.”

“A default judgment may be entered against the United States, its officers, or its agencies only if the claimant establishes a claim or right to relief by evidence that satisfies the court.”

“If Troxler continues to file documents with such inappropriate personal commentary and attacks, the court will consider dismissing his case as an appropriate sanction.”

FACTUAL BACKGROUND

Dr. Mark Troxler brought an action alleging ADA and other employment discrimination by the Department of Veterans Affairs. The government appeared through the U.S. Attorney, sought and obtained a stay during a government shutdown, and later obtained additional time to file responsive pleadings after appropriations were restored. Troxler repeatedly sought default judgment and filed submissions containing personal attacks on government counsel, despite prior warnings about meritless motions and appeals.

PROCEDURAL HISTORY

Dr. Troxler filed an action alleging ADA and other employment-discrimination violations. The court stayed the case during a government shutdown, later granted the government's request for additional time to file responsive pleadings, and Judge Hicks affirmed the non-stay orders while finding the stay appeal moot. After that ruling,

Troxler filed another document seeking default judgment and criticizing opposing counsel. The magistrate judge warned him that the requests lacked legal merit and that continued improper filings could lead to dismissal.

DISPOSITION

other

CASES CITED

- Amos v. Palmetto Gov't Benefit Adm'r, 122 F. App'x 105, 109 (5th Cir. 2005)
- Rogers v. Hartford Life & Accident Insurance Co., 167 F.3d 933, 936 (5th Cir. 1999)
- Benavides v. Trump, 2019 WL 8273464, at *3 (W.D. Tex. 2019)

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