

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION AT DAYTON

Accel Schools SR LLC v. Travonna Hunter

Accel Schools · No. 3:25-cv-303 · Decided January 15, 2026

SUMMARY

The United States District Court for the Southern District of Ohio grants Travonna Hunter’s pro se request for additional time to move to set aside the clerk’s entry of default. The order sets deadlines of February 6, 2026, for Hunter’s motion and February 20, 2026, for Plaintiff’s reply, and warns that failure to respond may result in default judgment.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division at Dayton
WRITING FOR THE COURT	Michael J. Newman
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division at Dayton
DECIDED	January 15, 2026
DOCKET	3:25-cv-303
DISPOSITION	other
PROCEDURAL POSTURE	After the Clerk entered Defendant's default, Defendant submitted a pro se letter and Plaintiff moved for default judgment. The court construed the letter as a motion for an extension of time to move to set aside the clerk's entry of default and granted the extension.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- default
- default judgment
- civil procedure

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether Defendant's pro se letter should be liberally construed as a motion for an extension of time to file a motion to set aside the clerk's entry of default.
2. Whether Defendant had shown good cause for an extension of time to seek relief from the clerk's entry of default.
3. What briefing schedule and notice should govern Plaintiff's pending motion for default judgment.

HOLDINGS

1. The court liberally construed Defendant's pro se letter as a motion for an extension of time to file a motion to set aside the clerk's entry of default.
2. For good cause shown, the court granted Defendant an extension of time to file a motion and accompanying memorandum to set aside the clerk's entry of default.
3. The court left the clerk's entry of default in place, established a briefing schedule for a motion to set it aside, and warned that Plaintiff's motion for default judgment may be granted if Defendant failed to file a timely response.

KEY QUOTATIONS

“For good cause shown, the Court GRANTS Defendant’s request.”

“Defendant is placed on NOTICE that if she does not file a timely response, Plaintiff’s motion for default judgment may be granted and entered against her.”

FACTUAL BACKGROUND

Accel Schools SR LLC filed the civil action against Travonna Hunter. Hunter was served but did not answer by the stated deadline, leading the Clerk to enter default. Hunter later submitted a pro se letter in response to Plaintiff, and Plaintiff moved for default judgment.

PROCEDURAL HISTORY

Plaintiff filed the civil action on September 15, 2025. Defendant was served on September 23, 2025, but did not answer by the October 14, 2025 deadline. The Clerk entered default on October 28, 2025. Defendant filed a pro se letter on December 19, 2025, and Plaintiff moved for default judgment on December 22, 2025. The court granted Defendant until February 6, 2026, to file a motion and memorandum to set aside default, allowed Plaintiff to reply by February 20, 2026, and warned that default judgment could be entered if Defendant did not respond.

DISPOSITION

other

CASES CITED

- Estelle v. Gamble, 429 U.S. 97, 106 (1976)

- United States v. Hawkins, 793 F. App'x 416, 417 n.1 (6th Cir. 2020)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION AT DAYTON ACCEL SCHOOLS SR LLC, Plaintiff, Case No. 3:25-cv-303 vs. TRAVONNA HUNTER, District Judge Michael J. Newman Magistrate Judge Caroline H. Gentry Defendant.

ORDER: (1) GRANTING DEFENDANT'S PRO SE MOTION FOR AN EXTENSION OF TIME TO FILE A MOTION TO SET ASIDE THE CLERK'S ENTRY OF DEFAULT (Doc.

No. 10); (2) SETTING A BRIEFING SCHEDULE; AND (3) PLACING DEFENDANT ON NOTICE THAT IF SHE DOES NOT FILE A TIMELY MOTION, PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT MAY BE GRANTED AND JUDGMENT ENTERED AGAINST DEFENDANT

This civil case was filed on September 15, 2025.

The docket reflects that Defendant Travonna Hunter was served on September 23, 2025, establishing an answer date of October 14, 2025. Doc. No. 5. Upon that date, Defendant had not answered and, therefore, it appeared Defendant was in default. "When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default." Fed.

R. Civ. P. 55(a). Plaintiff filed an application to the Clerk for entry of default against Defendant on October 23, 2025 (Doc. No. 9), and the Clerk of Court put on an entry of default on October 28, 2025 (Doc. No. 10). Then, on December 19, 2025, Defendant filed a pro se letter in response to Plaintiff. Doc. No. 12. Plaintiff filed a motion for default judgment on December 22, 2025.

Doc. No. 13. The Court liberally construes the letter in Defendant's favor as a pro se motion for an extension of time to file a motion to set aside the clerk's entry of default. *Estelle v. Gamble*, 429 U.S. 97, 106 (1976); see *United States v. Hawkins*, 793 F. App'x 416, 417 n.1 (6th Cir. 2020).

For good cause shown, the Court GRANTS Defendant's request. Defendant shall file her motion and accompanying memorandum to set aside the clerk's entry of default by February 6, 2026, and Plaintiff shall file their reply by February 20, 2026. Defendant is placed on NOTICE that if she does not file a timely response, Plaintiff's motion for default judgment may be granted and entered against her.

IT IS SO ORDERED. January 15, 2026 s/Michael J. Newman Hon. Michael J. Newman United States District Judge

