

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) Civil Action No. 2:09-cv-0065 SD
)
 MINISTER KING SAMIR)
 SHABAZZ aka MAURICE HEATH,)
)
 Defendant.)
 _____)

MOTION FOR DEFAULT JUDGMENT

Plaintiff, United States of America, moves this Court for entry of a default judgment pursuant to Federal Rule of Civil Procedure 55(b)(2) against Defendant Minister King Samir Shabazz. The United States requests that the judgment be as further set forth in the attached Proposed Default Judgment Order.

Grounds for Relief

For the following reasons, this Court should enter the judgment requested against Minister King Samir Shabazz and in favor of the United States:

1. The default of Defendant Minister King Samir Shabazz was entered by the Clerk of the Court on April 2, 2009.
2. Defendant Minister King Samir Shabazz has not appeared in this action. Defendant was provided notice of this Motion for Default Judgment in a letter dated April 28, 2009, and sent by United States mail on the same day.
3. The Complaint in this action sets out a valid claim for a violation of Section 11(b)

of the Voting Rights Act, 42 U.S.C. § 1973i(b), by Defendant. In consequence of the Clerk's entry of default, the factual allegations of the Complaint regarding the Defendant are taken as true.

4. The terms of relief sought in the requested judgment are further justified by the the attached Memorandum of Law in Support.

5. Defendant is not a minor, nor an incompetent person, nor in the military service of the United States.

WHEREFORE, the United States respectfully requests that the Court enter the attached Proposed Default Judgment Order.

Respectfully submitted,

LORETTA KING
Acting Assistant Attorney General

CHRISTOPHER COATES
Chief, Voting Section

ROBERT D. POPPER
Deputy Chief

s/ Spencer R. Fisher
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CERTIFICATE OF SERVICE

I certify that, on May 15, 2009, a true and correct copy of the foregoing Motion for Default Judgment was placed in the United States mail, in a properly-addressed envelope, with first-class postage duly paid and affixed to the envelope, and with the envelope addressed to the following non-CM/ECF participants:

1. Malik Zulu Shabazz
Defendant
Chairman, New Black Panther Party for Self-Defense, an unincorporated association
4043 Clay Place, NE
Washington, DC 20019
2. Jerry Jackson
Defendant
813 N. Parks St.
Philadelphia, PA 19123
3. Minister King Samir Shabazz a/k/a Maurice Heath
Defendant
1522 S. 20th Street
Philadelphia, PA 19146
4. Michael Coard, Esq.
1 Liberty Place
1650 Market Street
Suite 3652
Philadelphia, PA 19107

This Certificate was executed on May 15, 2009, at Washington, DC.

s/ Spencer R. Fisher
SPENCER R. FISHER
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