UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

Joseph Mallon

Plaintiff

Case Number: 26-cv-02712

v.

United States, Liable for Donald J. Trump (and Trump Administration)

Defendant

Motion for Judgment by Default and for the Relief Demanded in the Complaint

I, Joseph Mallon, the plaintiff, proceeding pro se, am continuing to follow-up on covering issues left still requiring after the discharge of my student loans in full in 2024 (Sweet v. DeVos / Cardona / McMahon, No. 19-cv-3674, N.D. Cal. *United States District Court for the Northern District of California,* Student Loans Defense Number 01400527).

The defendant was notified of this law case filed against the defendant and has not responded within the allowed time, which was to 10-13-2026, Federal Rules of Civil Procedure (FRCP) 12. When the case does not just involve a small amount of money, the Court must issue a judgment (FRCP 55b). The Court can then decide to enter a Judgment by Default (Hritz v. Woma Corp., 732 F.2d, 1178, 1180, 3d Cir. 1984). Deciding is not unlimited and has three considerations (1) whether the default being lifted would prejudice the plaintiff; (2) whether there is a meritorious defense the defendant has, and (3) whether the default was because of the defendant's wrongdoing (Hritz v. Woma Corp., 1181).

The Court is supposed to consider as true all the facts stated in the complaint, except for exact money damage amounts, and the Court then decides if there was a valid cause of action because the defaulting party does not say the law conclusions or anything else (10 C. Wright, A. Miller, *&* M. Kane, *Federal Practice and Procedure,* § 2688 at 444, 2d ed. 1983). This current case was after the allowed time for a response from the defendant and follows a Standard Form 95 (SF-95), which requires the United States reply within 6 months, or a law case can be made in a Federal Court, Federal Tort Claims Act (FTCA).

I had seven claims concerning the United States included on my SF-95 form, claims that involved small to large money amounts but included a sum-certain amount for the SF-95 form, and these claims were thoroughly communicated actively to the defendant through years, including 2025 (https://www.godsmiraclecross.com/realm). With nothing worked out, the SF-95 form was made and continued, followed by this Federal Court law case, which was also not responded to by the Defendant in the allowed time (FRCP 12).

The defendant is the United States, liable for Donald J. Trump and the Trump Administration, and had until 10-13-2026 to respond. Materials from me, the plaintiff, Joseph Mallon, have been in the White House with the Trump administration directly since in 2017, after more than a quarter-century previously, as was expressed fully to Trump and the Trump administration at the White House (https://www.godsmiraclecross.com/perspectives). No good intent was shown by taking up so much time and leaving neglected so much in that kind of time (Hritz v. Woma Corp., 732 F.2d, 1178, 1180, 3d Cir. 1984; *Int'l Union of Operating Engineers of Eastern Pennsylvania & Delaware Benefit Pension Fund v. N. Abbonizio Contractors, Inc.*, 134 F. Supp. 3d 862, E.D. Pa. 2015). No answer or motion was provided from the defendant to the plaintiff in the allowed time of this law case (26-cv-02712, Mallon v. United States).

As can be seen with this case, 26-cv-02712, I had to do the work because of the duty this law case includes. As this law case evidences, I already did a lot of dutiful work, so I should be paid for that work. The work is primarily in the interests of and involves the real United States, so the United States should pay for the work. Although I did much work and often performed very well, I was not paid yet in seasons or years, so that is reasonably an understandable basis for relief sought. Many laws require a fair pay for work, such as for example, The Fair Labor Standards Act (FLSA), the Equal Pay Act (EPA), and Title VII of the Civil Rights Act, and states, such as Pennsylvania, have such fair pay laws, too.

Since I, the plaintiff, have been through a long time of working dutifully on this case, the work done would be skewed if the default judgment is not filed and would obviously prejudice me, the plaintiff. Because the defendant has not responded, a meritorious defense is not discernable, nor does it have to be told whether the defaulting was only because of wrongdoing. The defendant was appropriately served. A default judgment can and should be confidently made in favor of the plaintiff (*Int'l Union of Operating Engineers*

of Eastern Pennsylvania & Delaware Benefit Pension Fund v. N. Abbonizio Contractors, Inc., 134 F. Supp. 3d 862, E.D. Pa. 2015).

The plaintiff hereby makes this Motion for Judgment by Default, including with the Defendant being required to pay for Court costs and legal fees and to follow-up with all necessary to work out concerning this law case, 26-cv-02712, Mallon v. United States.



Joseph Mallon, pro se

15 N. School Lane

Souderton, PA 18964

Dated this Tuesday of October 20, 2026.

Joseph Mallon

15 N. School Lane

Souderton, PA 18964

or

P.O. Box 474

Souderton, PA 18964

215-279-8580

jmallon@comcast.net

Dated: Tuesday of October 20, 2026

Form 10ACert - AFFIRMATION OF CERTIFIED MAILING

P28351226

JOSEPH MALLON
UNITED STATES DISTRICT COURT EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH MALLON

PLAINTIFF

- vs -

UNITED STATES, LIABLE FOR DONALD J. TRUMP (AND TRUMP ADMINISTRATION)

DEFENDANT

Index No. **26-CV-02712**
Date Filed
Office No.
Court Date.

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

I, DOUGLAS PHILIP affirm under the penalties of perjury that I am over 18 years of age, not a party to this action, and reside in the State of New York.
That on **20th day of October, 2026** at a post office or official depository under the exclusive care and custody of the United States Postal Service, Deponent mailed the copy of

MOTION FOR JUDGMENT BY DEFAULT AND FOR THE RELIEF DEMANDED IN THE COMPLAINT, MOTION FOR ENTRY OF DEFAULT

to UNITED STATES, DONALD J. TRUMP, U.S. PRESIDENT OFFICE
the DEFENDANT at
THE WHITE HOUSE
1600 PENNSYLVANIA AVENUE, N.W.
WASHINGTON DC 20500

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COMMENTS:

I affirm this 21ST day of OCTOBER, 2026 under penalties of perjury under the laws of New York, which may include fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law

DOUGLAS PHILIP 2121937-DCWP
Lexitas #2098109-DCA
1235 BROADWAY 2ND FLOOR
NEW YORK, NY 10001
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