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

JOSEPH MALLON	:	
	:	
v.	:	**CIVIL ACTION NO. 26-2712**
	:	
UNITED STATES	:	

ORDER

This 26th day of October, 2026, it is hereby **ORDERED** that Plaintiff's pending motions for a default and for a default judgment, ECF 32 and 33, are **DENIED.** Putting to one side whether service has been lawfully accomplished, when such a judgment is sought, "it remains for the court to consider whether the unchallenged facts constitute a legitimate cause of action, since a party in default does not admit mere conclusions of law. 10 C. Wright, A. Miller, & M. Kane, *Federal Practice and Procedure*, § 2688 at 444 (2d ed. 1983)." *Int'l Union of Operating Eng'rs of E. Pennsylvania & Delaware Benefit Pension Fund v. N. Abbonizio Contractors, Inc.,* 134 F. Supp. 3d 862, 865 (E.D. Pa. 2015). As set forth in previous Orders in this case, Plaintiff cites no cognizable basis for the relief he seeks.

/s/ Gerald Austin McHugh
United States District Judge