

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**ATHENE ANNUITY AND LIFE
COMPANY,**

Plaintiff,

V.

**ROBERT HERNANDEZ, KATHRYN
RAVELO, LINDA LOUGEE, AND
BOB HERNANDEZ,**

Defendants.

No. 6:25-cv-00094-LS

ORDER DENYING MOTION FOR DEFAULT JUDGMENT WITH LEAVE TO AMEND

Today, the Court considered this case. This is an interpleader case concerning death benefit proceeds. Defendant Robert Hernandez has filed a motion for default judgment against his co-defendant children, all of whom are in default. Rule 55 provides, however, that a “plaintiff” may apply for default judgment.¹ Mr. Hernandez cites no statutory, circuit court, or Supreme Court authority for the proposition that a defendant may seek a default judgment against co-defendants in an interpleader action. Accordingly, in an abundance of caution, the Court **DENIES** the motion for default judgment [Doc. No. 13]. Mr. Hernandez is granted **LEAVE TO AMEND** his motion to cite supporting authority for the relief he seeks. Alternatively, Plaintiff and Mr. Hernandez, the only appearing parties, may file a joint motion for the entry of a Court order and judgment to resolve and close this matter. Failure to do so by **September 10, 2025**, will mandate a live status conference hearing in Waco on **September 26, 2025**, time to be determined.

¹ Fed. R. Civ. P. 55.

SO ORDERED.

SIGNED and **ENTERED** on August 27, 2025.

A handwritten signature in black ink, appearing to read 'Leon Schydlower', written over a horizontal line.

LEON SCHYDLOWER
UNITED STATES DISTRICT JUDGE