

IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI
AT LIBERTY

FRANK COMER and	)	
ROBIN COMER,	)	
Plaintiffs,	)	
v.	)	
	)	
JS YOAKUM EXCAVATION AND	)	Case No. 25CY-CV04306
CONSTRUCTION, LLC	)	
	)	Division: II
and	)	
	)	
JESSE YOAKUM,	)	
Defendants.	)	

MOTION FOR ENTRY OF DEFAULT JUDGMENT

COMES NOW Plaintiffs, Frank Comer and Robin Comer, by and through their attorney, Nicky P.E. McNeil, and, pursuant to Rule 74.05 of the Missouri Supreme Court Rules of Civil Procedure, Plaintiffs hereby move the Court to enter a *Judgment of Default* against Defendants, JS Yoakum Excavation and Construction, LLC and Jesse Yoakum, and to award Plaintiffs a judgment in their favor. In support of their *Motion*, Plaintiffs hereby state to the Court as follows:

1. Plaintiffs filed a *Petition for Damages* on or about March 28, 2025.
2. On April 15, 2025, Defendants were served with a copy of Plaintiffs' *Petition for Damages* and a summons issued by the Court.
3. More than thirty (30) days have elapsed since Defendants were served with a copy of Plaintiffs' *Petition for Damages*, and Defendants have failed to file a responsive pleading in this matter; therefore, Defendants are in default.

WHEREFORE, Defendants being in default, Plaintiffs respectfully request that the Court enter a *Judgment of Default* against Defendants, pursuant to Rule 74.05 of the Missouri Rules of

Civil Procedure, and for such other and further relief in favor of Plaintiffs as the Court deems just and proper.

Respectfully submitted,

MCNEIL & ASSOCIATES

By: /s/ Nicky P.E. McNeil
 Nicky P.E. McNeil #68768
 2103 Swift Street, Suite 201
 Kansas City, Missouri 64116
 (816) 994-0925, Extension 3
 nick@npemlaw.com
 ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this 21st day of May 2025, a true and accurate copy of the foregoing *Motion for Entry of Default Judgment* was mailed to Defendants to their last known address, as on file with the Court, to 26221 S. State Route D, Cleveland, MO 64734.

By: /s/ Nicky P.E. McNeil
 Nicky P.E. McNeil #68768