

1
2
3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**
5

6 **TARA WILLIAMS,**

7 **Plaintiff**

8 **v.**

9 **STATE OF CALIFORNIA, CALIFORNIA**
10 **DEPARTMENT OF CORRECTIONS, and**
11 **SAM CALDWELL**

12 **Defendants**

CASE NO. 1:03-CV-6314 AWI new

ORDER ON REQUEST AND
APPLICATION FOR RENEWAL OF
JUDGMENT

(Doc. Nos. 45, 46)

13 On September 18, 2006, this Court adopted a Findings and Recommendation and granted
14 default judgment in favor of Plaintiff and against Defendant Sam Rockwell for \$75,000 (\$50,000
15 in compensatory damages and \$25,000 in punitive damages). See Doc. No. 44. The case was
16 closed on October 13, 2006.¹

17 On August 29, 2016 and August 30, 2016, Plaintiff requested a renewal of judgment and
18 filed a formal application for renewal. See Doc. Nos. 29, 30. In her renewal application, Plaintiff
19 includes *inter alia* a request for costs in the amount of \$1,000.00. See Doc. No. 30. However,
20 costs were never awarded in this matter. Therefore, Plaintiff's request for \$1,000.00 in costs is
21 improper. Because Plaintiff has requested costs that were not awarded, the Clerk's office will not
22 grant Plaintiff's application for a renewal.

23 The Court will deny Plaintiff's application without prejudice to submitting a new
24 application for a renewal of judgment. If Plaintiff chooses to file a new application for renewal of
25 judgment, she shall not include a request for costs because no costs were awarded in this case.

26
27 ¹ A separate judgment was not entered. By operation of Federal Rule of Civil Procedure 58, the Court's order
28 adopting the Findings and Recommendation and awarding default judgment is the judgment in this case, and that
judgment was deemed entered 150 days after the order was filed. See Fed. R. Civ. P. 58(c)(2)(B); Kremen v. Cohen,
609 Fed. Appx. 945, 946 (9th Cir. 2014); Mondragon v. Thompson, 519 F.3d 1078, 1081-82 (10th Cir. 2008).

