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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

MARK S. SOKOLSKY,

CASE NO. 1:07-cv-00613-OWW-SMS PC

Plaintiff,

ORDER DENYING MOTION  
FOR ENTRY OF DEFAULT

v.

(Doc. 26)

W. T. VOSS, et al.,

Defendants.

Plaintiff Mark S. Sokolsky is a civil detainee proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On January 6, 2010, Plaintiff filed a motion seeking entry of default against Defendants Voss and Bresler for failing to file a response to his second amended complaint.

Defendants filed an answer to Plaintiff's second amended complaint on September 4, 2009, and are not in default. Fed. R. Civ. P. 55(a). Accordingly, Plaintiff's motion for entry of default is HEREBY ORDERED DENIED.

IT IS SO ORDERED.

**Dated: June 10, 2010**

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE