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

MAXIMILIAN MONCLOVA-CHAVEZ,)	Case No.: 1:08-cv-00076-AWI-BAM
Plaintiff,)	
v.)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATIONS REGARDING
ERIC McEACHERN, et al.,)	PLAINTIFF’S MOTION FOR DEFAULT
Defendants.)	JUDGMENT
)	(ECF Nos. 178, 179)
)	
)	
)	
)	

Plaintiff Maximilian Monclova-Chavez, a federal prisoner, filed this civil rights action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388, 91 S.Ct. 1999 (1971) on January 15, 2008. This action proceeds against Defendant McEachern for excessive force in violation of the Eighth Amendment. All other defendants and claims have been dismissed.

On November 25, 2013, the Magistrate Judge issued Findings and Recommendations that Plaintiff’s motion for default judgment be denied without prejudice. The findings and recommendations were served on all parties appearing in this action and contained notice that any objections were to be filed within fourteen days after service. (ECF No. 179.) More than fourteen days have passed and no objections have been filed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de
2 novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings and
3 Recommendations to be supported by the record and by proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations, issued on November 25, 2013, are adopted in full;
- 6 and
- 7 2. Plaintiff's motion for default judgment is DENIED without prejudice.

8
9 IT IS SO ORDERED.

10 Dated: January 2, 2014



11 SENIOR DISTRICT JUDGE