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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10
11 MAXIMILLIAN MONCLOVA-
12 CHAVEZ,

13 Plaintiff,

14 v.

15 McEACHERN, et al.,

16 Defendants.

Case No. 1:08-cv-00076-AWI-BAM (PC)

ORDER DENYING REQUEST FOR
ASSISTANCE REGARDING WRIT OF
EXECUTION

(ECF No. 203)

17 Plaintiff Maximilian Monclova-Chavez (“Plaintiff”) is a federal prisoner who proceeded
18 with counsel and *in forma pauperis* in this civil rights action pursuant to Bivens v. Six Unknown
19 Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). This action proceeded against
20 Defendants Miller, White, McEachern, and Tincher.

21 Ultimately, this action was closed after judgment was entered in favor of Plaintiff and
22 against Defendants White and Miller in the amount of \$10,000.00, Defendant Tincher was
23 dismissed with prejudice, and default judgment was entered against Defendant McEachern in the
24 amount of \$12,000.00. (ECF Nos. 168, 169, 171, 172, 187.)

25 Following entry of judgment, Plaintiff decided to proceed *pro se* and Plaintiff’s counsel
26 was permitted to withdraw. (ECF No. 196.) Plaintiff’s motion for writ of execution was granted,
27 and those writs were issued on September 6, 2018. (ECF Nos. 196, 200, 201.)

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1 Currently before the Court is Plaintiff's request for assistance regarding the writs of
2 execution, filed January 11, 2019. (ECF No. 23.) Specifically, Plaintiff states that he has not
3 received any settlement or judgment fees from Defendants McEachern, White, and Miller.
4 Plaintiff also states that he is unable to contact the defendants, as their personal information is
5 private and cannot be obtained through Freedom of Information requests. Plaintiff contends that
6 he needs help from the courts to pursue liens, freeze assets, and so forth, due to his indigency and
7 incarceration at a BOP facility. (Id.)

8 As explained in the Court's May 7, 2018 order granting Plaintiff's motion for writ of
9 execution, although Plaintiff was entitled to issuance of the writs of execution, it is Plaintiff's
10 responsibility to serve the writs on Defendants and take any further actions necessary to collect on
11 the judgments. The appropriate writs of execution were issued on September 6, 2018, and this
12 closed case is not the appropriate avenue for the further relief Plaintiff seeks. Accordingly,
13 Plaintiff's request for assistance, (ECF No. 203), is HEREBY DENIED.

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15 IT IS SO ORDERED.

16 Dated: January 22, 2019

17 /s/ Barbara A. McAuliffe
18 UNITED STATES MAGISTRATE JUDGE
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