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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EDWARD DEMERSON,

Plaintiff,

v.

JEANNE S. WOODFORD, et al.,

Defendants.

CASE NO. 1:08-cv-00144-LJO-SKO PC

ORDER DENYING MOTION FOR ENTRY OF DEFAULT JUDGMENT

(Doc. 150)

Plaintiff Edward Demerson, a state prisoner proceeding pro, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 29, 2008. This action is proceeding on Plaintiff’s second amended complaint, filed on June 24, 2009, against Defendants Phillips, Campos, Amaro, Clausing, Bardonnex, Munoz, and Cartagina for using excessive physical force against Plaintiff, and against Defendants Munoz, Cartagina, Gregory, and Hillard for acting with deliberate indifference toward Plaintiff’s resulting injuries, in violation of the Eighth Amendment of the United States Constitution.

On November 1, 2012, Plaintiff filed his second motion seeking entry of default judgment against Defendant Gregory. The undersigned considered and denied Plaintiff’s first motion on April 13, 2012. While the denial was without prejudice, the procedural posture of this case has not changed since the Court issued its denial and there is no legal support for Plaintiff’s renewal of the motion at this time. Unnecessary multiplication of the proceedings by either side is viewed with disfavor.

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1 Plaintiff's motion for entry of default judgment is HEREBY SUMMARILY DENIED and
2 Plaintiff is DIRECTED to review the order filed on April 13, 2012.

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4 IT IS SO ORDERED.

5 **Dated: November 30, 2012**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE