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

ALLEN B. WILLIAMS,

CASE NO. 1:09-cv-00468-OWW-SKO PC

Plaintiff,

ORDER DENYING MOTIONS

v.

(Docs. 27, 40, 42)

WEGMAN, et al.,

Defendants.

Plaintiff Allen B. Williams (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On March 15, 2010, Plaintiff filed a motion requesting the entry of default and default judgment against all defendants in this action (“Defendants”). (Doc. #27.) Plaintiff filed a second motion requesting default on May 5, 2010. (Doc. #40.) Plaintiff’s motions were premature as Defendants’ deadline for filing an answer to Plaintiff’s complaint had not yet expired. Defendants filed their answer on April 21, 2010. (Doc. #36.) Defendants’ answer was timely, since the Court granted Defendants an extension of time to file their responsive pleading on March 23, 2010. (Doc. #30.) Thus, Plaintiff’s requests for entry of default will be denied.

On May 5, 2010, Plaintiff filed a motion requesting an extension of time to file an opposition to Defendants’ answer. (Doc. #42.) It is not necessary for Plaintiff to file an opposition to Defendants’ answer. Pursuant to Federal Rule of Civil Procedure 7(a), a reply to an answer is only permitted if the Court orders a reply. The Court has not ordered Plaintiff to file a reply to Defendants’ answer. Therefore, Plaintiff’s request for an extension of time is unnecessary and will

1 be denied.

2 Accordingly, it is HEREBY ORDERED that:

- 3 1. Plaintiff's motions requesting entry of default and default judgment, filed on March  
4 15, 2010, and May 5, 2010, are DENIED; and
- 5 2. Plaintiff's motion requesting an extension of time to file an opposition to  
6 Defendants' answer is DENIED.

7  
8 IT IS SO ORDERED.

9 Dated: September 15, 2010

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE