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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LEON HAWKINS,)	CASE NO. 1:09-cv-00771 LJO JLT
)	
Plaintiff,)	ORDER DENYING REQUEST FOR DEFAULT
)	JUDGMENT
v.)	(Doc. 22)
)	
DERRAL G. ADAMS, et al.,)	
)	
Defendants.)	
_____)	

On July 26, 2010, Plaintiff filed a request for default judgment against Defendants. (Doc. 22)
 He claims that this request is appropriate due to Defendants failure file a responsive pleading.
 However, the First Amended Complaint has not yet been screened to determine whether it states
 a cognizable claim. Consequently, the Court has not yet authorized service of the summons and
 complaint. Therefore, the Defendants' duty to file a responsive pleading has not yet arisen.
 Based upon the foregoing, the motion for default judgment is **DENIED**.

IT IS SO ORDERED.

Dated: September 24, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE