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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GERALD A. WEST,

CASE NO. 1:09-cv-01277-GBC (PC)

Plaintiff,

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ORDER DENYING REQUEST FOR ENTRY OF DEFAULT

FEDERAL BUREAU OF PRISONS, et al., (ECF No. 36)

Defendants.

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ORDER

Plaintiff Gerald A. West ("Plaintiff") is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action. This action proceeds on Plaintiff's Third Amended Complaint, filed August 27, 2010, against Defendants Doe 1, Doe 2, and Doe 3 for failure to protect in violation of the Eighth Amendment. (ECF No. 25.)

On June 16, 2011, Plaintiff filed a document entitled "Declaration for Entry of Default". (ECF No. 36.) The Court construes this filing as a request to enter default against the Defendants based on their failure to plead or otherwise defend against this action, specifically against Plaintiff's Motion for a Temporary Restraining Order.

Defendants are required to answer or otherwise defend against Plaintiff's Complaint only after they have been properly served. Fed. R. Civ. P. 12. The default provisions of Rule 55(a) are not implicated until after service has occurred. Service has not yet occurred in this action; therefore, Defendant Does do not have to respond.

1	Accordingly, Plaintiff's request for entry of default is DENIED.	
2	IT IS SO ORDERED.	
3	Dated:June 24, 2011	
4		NITED STATES MAGISTRATE JUDGE
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