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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHERRI KING,

Plaintiff,

v.

NATIONAL CREDIT WORKS, INC.; and
GREGORY G. EMMINGER,

Defendants.

CASE NO. 1:10-cv-02413-AWI-SKO

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS THAT
PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT BE DENIED**

(Docket No. 17, 20)

On August 30, 2011, the Magistrate Judge issued Findings and Recommendations that Plaintiff's motion for default judgment be DENIED and that Plaintiff be permitted to amend her complaint. (Doc. 20.) These Findings and Recommendations were served on all parties appearing in the action and contained notice that any objections were to be filed within fifteen (15) days after service of the order. No objections were filed.¹

¹ On September 9, 2011, Plaintiff filed a Second Amended Complaint. (Doc. 21.) As the Magistrate Judge's Findings and Recommendations were still pending and not yet adopted by the District Court, Plaintiff's amended complaint was filed without leave to do so pursuant to Federal Rule of Civil Procedure 15(a)(2).

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the
3 Magistrate Judge's Findings and Recommendations are supported by the record and proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations issued August 30, 2011, are ADOPTED IN
6 FULL;
- 7 2. Plaintiff's motion for default judgment is DENIED; and
- 8 3. Plaintiff's Second Amended Complaint is DEEMED FILED as of the date of this
9 order.

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12 IT IS SO ORDERED.

13 Dated: October 4, 2011

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16 CHIEF UNITED STATES DISTRICT JUDGE
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