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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	JAMISI JERMAINE CALLOWAY,) Case No.: 1:11-cv-01090-LJO-SAB (PC))
12	Plaintiff,) ORDER FOR PLAINTIFF TO SHOW CAUSE
13	V.	WHY ENTRY OF DEFAULT SHOULD NOT BE ENTERED AGAINST DEFENDANTS TALISMAN
14	G. KELLEY, et al.,) AND FRITZ)
15	Defendants.) [ECF No. 57])
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17	Plaintiff Jamisi Jermaine Calloway is appearing pro se and in forma pauperis in this civil rights	
18	action pursuant to 42 U.S.C. § 1983.	
19	On December 13, 2013, the Court directed the United States Marshal to serve the complaint on	
20	Defendants Kelley, Talisman, Wang, Fritz, Schomer, Mazuk, Trinh, Bostanjian, and Syed.	
21	On February 20, 2014, Defendants Kelley and Wang filed an answer to the complaint.	
22	On August 14, 2014, the USM-285 service form was returned to the Court executed as to	
23	Defendant Pascua, along with a waiver of service of the summons. On February 25, 2014, Defendants	
24	Bostanjian and Syed filed an answer to the complaint. On February 27, 2014, Defendants Mazur and	
25	Schomer filed an answer to the complaint. Defendants Talisman and Fritz have yet to make an	
26	appearance in the action, despite the return of service executed by the U.S. Marshal.	
27	Under Rule 4(d)(3) of the Federal Rules of Civil Procedure, a defendant who timely returns a	
28	waiver after being served with process has sixty days after the request was sent to serve an answer.	
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1	Here, the waiver of service of summons was served upon Defendants Marc Talisman and Melissa Fritz	
2	on April 18, 2014, and an answer was due sixty days thereafter.	
3	Based on the fact that Defendants Talisman and Fritz have now been effectively served and no	
4	answers have been filed, IT IS HEREBY ORDERED that Plaintiff shall show cause in writing within	
5	twenty (20) days from the date of service of this order why entry of default should not be entered.	
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7	IT IS SO ORDERED.	
8	Dated: September 4, 2014	
9	UNITED STATES MAGISTRATE JUDGE	
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