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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TIMOTHY HOWARD,
Plaintiff,

v.

G. GONZALES,
Defendant.

1:12cv00487 LJO DLB PC

ORDER GRANTING PLAINTIFF’S
MOTION REGARDING SERVICE
(Document 22)

ORDER REQUIRING DEFENDANT
GONZALES TO SHOW CAUSE WITHIN
THIRTY DAYS WHY DEFAULT SHOULD
NOT BE ENTERED AGAINST HIM

ORDER DIRECTING CLERK’S OFFICE TO
SERVE COURTESY COPY ON LITIGATION
OFFICE AT CSATF AND ON CDCR LEGAL
AFFAIRS

Plaintiff Timothy Howard (“Plaintiff”) is proceeding pro se and in forma pauperis in this civil rights action filed on March 30, 2012. On February 27, 2013, the Court issued an order finding service appropriate for Defendant C. Gonzales.

On February 7, 2014, the United States Marshal returned summons, indicating that Defendant was personally served on January 24, 2014. A response was due on or before February 17, 2014. Fed. R. Civ. P. 12(a), 6(d). Defendant has not responded to the complaint or otherwise appeared in this action.

On May 1, 2014, Plaintiff filed a motion requesting that the Court order Defendant to answer the complaint. Plaintiff’s motion is GRANTED IN PART, as the Court will issue an order to show cause rather than ordering Defendant to answer.

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Accordingly, it is HEREBY ORDERED that:

1. Within thirty (30) days from the date of service of this order, Defendant Gonzales shall show cause why default should not be entered against him;
2. To facilitate his ability to comply with this order, Defendant's obligation to respond to the complaint is extended thirty days from the date of service of this order; and
3. The Clerk's Office shall serve a courtesy copy of this order on the Litigation Office at the California Substance Abuse Treatment Facility and on the Legal Affairs Division of the California Department of Corrections and Rehabilitation.

IT IS SO ORDERED.

Dated: May 8, 2014

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE