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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	RICHARD CHARLES HANNA,	Case No. 1:12-cv-00501-AWI-SAB
12	Plaintiff,	ORDER REQUIRING PLAINTIFF TO EITHER SHOW CAUSE WHY THIS ACTION SHOULD
13	v.	NOT BE DISMISSED FOR FAILURE TO PROSECUTE OR FILE A MOTION FOR ENTRY
14	MARIPOSA COUNTY SHERIFF DEPT. et al.,	OF DEFAULT WITHIN THIRTY DAYS
15	Defendants.	
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18	Plaintiff Richard Charles Hanna, a state prisoner proceeding pro se and in <u>forma pauperis</u> ,	
19	filed this action on April 2, 2012. (ECF No. 1.) The Court screened Plaintiff's complaint and	
20	found that it stated cognizable claims against Defendants Mariposa County Sheriff Department,	
21	and Deputies Boehm, Rumfelt, Rameriz, and King. (ECF No. 13.) The Court ordered service of	
22	the complaint and on July 15, 2013, the summonses were returned by the United States Marshal	
23	showing that personal service had been effected on all defendants on May 16, 2013. (ECF No.	
24 25	32.)	int was due within twenty one days from the date of
25 26	Defendants' response to the complaint was due within twenty-one days from the date of complaint. Ead P. Civ. P. $12(a)(1)(A)(i)$. As of this date, no defendent has filed an	
26 27	service of the complaint. Fed. R. Civ. P. 12(a)(1)(A)(i). As of this date, no defendant has filed an answer or other pleading responsive to the complaint, nor has Plaintiff filed a motion for entry of	
27	answer of other pleading responsive to the c	ompranit, nor has rianith med a motion for entry of
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	default pursuant to Federal Rule of Civil Procedure 55. ¹		
2	Within thirty days from the date of service of this order, Plaintiff shall either show cause		
3	why this action should not be dismissed for Plaintiff's failure to prosecute or file a motion for		
4	entry of default.		
5	Accordingly, IT IS HEREBY ORDERED that:		
6	1. Within thirty days from the date of service of this order, Plaintiff shall file a		
7	written response to the Court, showing cause why this action should not be		
8	dismissed for Plaintiff's failure to prosecute or a motion for entry of default; and		
9	2. Plaintiff's failure to comply with this order shall result in a recommendation that		
10	this action be dismissed.		
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12	IT IS SO ORDERED.		
13	Jung A. De		
14	Dated: August 23, 2013 UNITED STATES MAGISTRATE JUDGE		
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24	¹ Error! Main Document Only.Pursuant to Federal Rules of Civil Procedure 55, obtaining a default judgment is a two step process. <u>Yue v. Storage Technology Corp.</u> , No. 3:07-cv-05850, 2008 WL 361142, *2 (N.D.Cal. Feb, 11, 2008). Entry of default is appropriate as to any party against whom a judgment for affirmative relief is sought that		
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