

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILSON GORRELL,
Plaintiff,
v.
THOMAS C. SNEATH et al.,
Defendants.

Case No. 1:12-cv-00554 AWI JLT

**ORDER DISREGARDING MOTION
FOR JUDGMENT**

(Doc. 17)

On July 19, 2012, Defendants waivers of personal service were filed. (Doc. 16) By waiving the requirement for personal service, Defendants were granted 60 days from the date of service, June 5, 2012, to respond to the complaint. (Doc. 16 at 1, 3, 5) Thus, Defendants' answer, filed on August 6, 2012, was timely, given that the 60th day fell on a weekend. (Doc. 18)

On August 6, 2012, Plaintiff filed a motion for judgment. (Doc. 17) Plaintiff seeks default judgment based upon Defendants' failure to answer within 21 days. However, of course, this deadline did not apply, given that Defendants were not personally served. Therefore, Plaintiff's motion for judgment is **DISREGARDED**.

IT IS SO ORDERED.

Dated: August 7, 2012

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28