

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CYNTHIA SOLTERO, individually and as
Successor in Interest of VINCENT MATTHEW
YZAGUIRRE, DECEASED,

Plaintiffs,

vs.

CITY OF BAKERSFIELD, TIMOTHY
BERCHTOLD, JASON FELGENHAUER, and
DOES 1 through 10, inclusive,

Defendants.

) Case No. 1:12-CV-01791-LJO-JLT
)
) **ORDER GRANTING DEFENDANTS'**
) **MOTION TO SET ASIDE THE DEFAULT**
) **OF THE NATURAL FATHER, ROBERT**
) **YZAGUIRRE (DOC. 37), DENYING AS**
) **MOOT PLAINTIFF'S MOTIONS FOR**
) **DEFAULT JUDGMENT (DOCS. 29 & 30);**
) **AND ADMINISTRATIVELY**
) **TERMINATING FINDINGS AND**
) **RECOMMENDATIONS RE PLAINTIFF'S**
) **MOTION FOR DEFAULT JUDGMENT**
) **(DOC. 32).**

The court, having considered all evidence, hereby GRANTS Defendants' motion to set aside the default of the natural father, Robert Yzaguirre, which was entered on September 10, 2014 [Doc. 28]. Doc. 37.

As a result, Plaintiff's motions for default judgment, Docs. 29 & 30, are DENIED AS MOOT, and the Clerk of Court is directed to administratively terminate the pending Findings and Recommendations regarding the same, Doc. 32.

SO ORDERED

Dated: February 10, 2015

/s/ Lawrence J. O'Neill
United States District Judge