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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RANDALL LEE SHEEHAN,) Case No.: 1:12-cv-2060-AWI-BAM PC
)
Plaintiff,) ORDER DENYING MOTION FOR DEFAULT
) JUDGMENT
v.)
) (ECF No. 16)
CDCR-JAMESTOWN, et al.,)
)
Defendants.)
)
)
)
)

Plaintiff Randall Lee Sheehan is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On April 18, 2013, Plaintiff filed the instant motion for default judgment against Defendant E. Cervantes. (ECF No. 16.)

Plaintiff is not entitled to entry of default or default judgment. Fed. R. Civ. P. 55(a), (b). Service of process has not yet been initiated in this action, and in the absence of Defendant's failure to file a timely response once legal service of process has been completed, Plaintiff has no entitlement to the entry of default or to the entry of default judgment. Fed. R. Civ. P. 4(e). Plaintiff is directed to re-read paragraph 12 of the First Informational Order, which addresses screening and service of process. (ECF No. 8.)

Based on the foregoing, Plaintiff's motion for default judgment is DENIED.

IT IS SO ORDERED.

Dated: May 2, 2013



SENIOR DISTRICT JUDGE

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