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

OBIE L. CRISP III,

Plaintiff,

v.

WASCO STATE PRISON, et al.,

Defendants.

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Case No. 1:13-cv-01899-SKO (PC)

ORDER DENYING PLAINTIFF’S MOTION  
FOR DEFAULT

(Doc. 22)

Plaintiff Obie L. Crisp III (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil action on November 22, 2013. On August 20, 2015, Plaintiff filed a motion seeking default against the defendants. The defendants have neither been served with process nor waived service of process, Fed. R. Civ. P. 4(d), (e), and therefore, they are not in default, Fed. R. Civ. P. 55(a), (b).<sup>1</sup> Accordingly, Plaintiff’s motion is HEREBY DENIED.

IT IS SO ORDERED.

Dated: August 25, 2015

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> In a separate order issued concurrently with this order, the Court provided Plaintiff with service documents to complete and return to the Court. The United States Marshal will be directed to initiate service of the summons and third amended complaint once the completed documents are returned.