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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 PERRY WASHINGTON, et al,

12 Plaintiffs,

13 v.

14 FRESNO COUNTY SHERIFF, et al.,

15 Defendants.
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Case No. 1:14-cv-00129-AWI-SAB

ORDER DENYING PLAINTIFF’S MOTION
FOR DEFAULT AND MOTION FOR
DEFAULT JUDGMENT

(ECF Nos. 71, 72)

17 On June 5, 2015, Defendant Velos filed an answer to Plaintiff’s first amended complaint.
18 (ECF No. 67.) On June 10, 2015, Plaintiff filed a motion for default and a motion for default
19 judgment. (ECF Nos. 71, 72.)
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21 Pursuant to Federal Rules of Civil Procedure 55, obtaining a default judgment is a two-
22 step process. Yue v. Storage Technology Corp., No. 3:07-cv-05850, 2008 WL 361142, *2
23 (N.D.Cal. Feb, 11, 2008). Entry of default is appropriate as to any party against whom a
24 judgment for affirmative relief is sought that has failed to plead or otherwise defend as provided
25 by the Federal Rules of Civil Procedure and where that fact is made to appear by affidavit or
26 otherwise. Fed. R. Civ. P. 55(a). After entry of default, the plaintiff can seek entry of default
27 judgment. Fed. R. Civ. P. 55(b)(1) and (2). “Default judgments are generally disfavored, and
28 whenever it is reasonably possible, cases should be decided upon their merits.” In re Hammer,

