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

UNITED STATES OF AMERICA,

Case No. 1:14-cv-00225-AWI-SKO

Plaintiff,

**ORDER GRANTING REQUEST FOR AN  
EXTENSION OF TIME TO RESPOND TO  
THE COMPLAINT**

v.

(Doc. 11)

BARRY HALAJIAN; BARRY HALAJIAN  
SS MUNICIPLE CORPORATION,

Defendants.

On February 19, 2014, Plaintiff United States of America ("Plaintiff") filed a complaint against Defendants Barry Halajian and "Barry Halajian SS Munciple Corporation" (collectively, "Defendants"). (Doc. 1.) On February 20, 2014, Plaintiff filed an ex parte application to serve by publication pursuant to California Code of Civil Procedure § 415.50, which was granted. (Docs. 5, 8.) Plaintiff filed a certification of publication on April 17, 2014. (Doc. 9.) On April 21, 2014, Defendant Barry Halajian ("Halajian") filed a motion for a 60-day extension of time to file a response to the complaint. (Doc. 11.)

Halajian's request for an extension of time to answer the complaint shall be granted. The Court notes, however, that Defendant "Barry Halajian SS Munciple Corporation" is an entity defendant. Defendants are advised that "a corporation may appear in federal courts only through licensed counsel." *Rowland v. Cal. Men's Colony*, 506 U.S. 194, 202 (1993); *United States v. High Country Broad. Co.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (per curiam); *see also Osborn v.*

1 *Bank of U.S.*, 22 U.S. (9 Wheat.) 738, 829 (1824). All artificial entities must appear in federal  
2 court through counsel. *Rowland*, 506 U.S. at 202. Additionally, this Court's Local Rule 183(a)  
3 provides: "A corporation or other entity may appear only by an attorney." As such, any response  
4 to the complaint filed on behalf of "Barry Halajian SS Munciple Corporation" must be made by  
5 and through a licensed attorney.

6 Finally, on April 22, 2014, Plaintiff filed a request that the Clerk of Court enter  
7 Defendants' default. However, because Mr. Halajian has appeared in the action to request an  
8 extension of time to respond to the complaint, this request is DENIED.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Defendant Barry Halajian's motion for a 60-day extension of time to file a response  
11 to the complaint is GRANTED;
- 12 2. Defendant Barry Halajian's responsive pleading shall be filed on or before June 26,  
13 2014;
- 14 3. Defendant Barry Halajian SS Munciple Corporation must retain counsel prior to  
15 June 26, 2014, and file a responsive pleading by that date;
- 16 4. If Defendant Barry Halajian SS Munciple Corporation fails to retain counsel and  
17 file a responsive pleading on or before June 26, 2014, the Court will enter the  
18 entity's default;
- 19 5. Plaintiff's request for the Clerk of Court to enter Defendants' default is DENIED as  
20 moot; and
- 21 6. The Clerk of Court is DIRECTED to serve a copy of this order on Barry Halajian at  
22 P.O. Box 8172, Fresno, California.

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24 IT IS SO ORDERED.

25 Dated: April 24, 2014

/s/ Sheila K. Oberto  
26 UNITED STATES MAGISTRATE JUDGE

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