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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

<p>LEBRON SAMUELS, Petitioner, v. PAUL COPENHAVER, Respondent.</p>
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Case No. 1:14-cv-00372 LJO MJS (HC)
**ORDER DENYING PETITIONER'S MOTION
FOR DEFAULT JUDGMENT**
**ORDER DIRECTING RESPONDENT TO
RE-SERVE PETITIONER WITH A COPY OF
THE ANSWER TO THE PETITION FOR
WRIT OF HABEAS CORPUS**
(Doc. 11)

Petitioner is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On December 15, 2014, Petitioner filed a motion requesting default judgment in light of Respondent's alleged failure to respond to the petition. (Mot., ECF No. 11.) The Court ordered Respondent to file a response to the petition on March 18, 2014. (ECF No. 4.) On May 19, 2014, Respondent filed a copy of the answer to the petition electronically with the Court including a proof of service stating that the answer and attached exhibits had been served on Petitioner. As Respondent appears to have properly filed and served the answer, Petitioner's motion for default is DENIED.

Since Petitioner asserts that he did not receive a copy of the answer, the Court ORDERS Respondent to serve Petitioner with another copy of the answer and relevant

1 exhibits within ten (10) days of the issuance of this order. Petitioner shall have thirty days
2 from the date of service of the answer to file a traverse.

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4 IT IS SO ORDERED.

5 Dated: December 22, 2014

/s/ Michael J. Seng
6 UNITED STATES MAGISTRATE JUDGE

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