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

ARCHIE CRANFORD,	)	Case No.: 1:14-cv-00921-LJO-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER DENYING PLAINTIFF’S REQUEST
v.	)	FOR ENTRY OF DEFAULT
	)	
ANTONIA OKPALA,	)	[ECF No. 41]
	)	
Defendant.	)	
	)	
	)	

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Plaintiff Archie Cranford is a civil detainee proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).

On July 11, 2016, Plaintiff filed a motion requesting the entry of default judgment against Defendant Antonia Okpala, pursuant to California Civil Procedure §§ 585, 989.

Plaintiff is advised that Rule 55(a) of the Federal Rules of Civil Procedure governs the entry of default in actions brought in this Court under 42 U.S.C. § 1983. Rule 55(a) of the Federal Rules of Civil Procedure requires the Clerk of the Court to enter default “when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise.” Fed. R. Civ. P. 55(a).

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1 Inasmuch as Defendant Okpala has filed an answer to the complaint on January 19, 2016, there  
2 is simply no basis for entry of default judgment. Accordingly, Plaintiff's motion is DENIED.

3  
4 IT IS SO ORDERED.

5 Dated: July 12, 2016

  
UNITED STATES MAGISTRATE JUDGE