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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ARCHIE CRANFORD,)	1:14-cv-01025-BAM
)	
Plaintiff,)	ORDER DENYING PLAINTIFF’S MOTION
)	FOR DEFAULT JUDGMENT AS
v.)	PREMATURE
)	(ECF No. 7)
JESSICA C., et al.)	
)	
Defendants.)	
)	
)	
)	

Plaintiff Archie Cranford (“Plaintiff”) is a civil detainee proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on June 30, 2014. (ECF No. 1.)

On August 4, 2014, Plaintiff filed the instant motion for entry of default judgment against “Jessica C. etal” for failure to plead or otherwise defend. (ECF No. 8.)

Plaintiff’s motion for default judgment is premature and shall be denied without prejudice. The Court has not screened Plaintiff’s complaint to determine whether it is subject to dismissal or whether the action should proceed to discovery on Plaintiff’s claims. 28. U.S.C. § 1915(e)(2)(B)(ii) (“Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that ... the action or appeal ... fails to state a claim upon which relief may be granted.”) The Court also has not ordered service of the complaint and has not opened discovery in this matter.

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Accordingly, Plaintiff’s motion for entry of default judgment is HEREBY DENIED,
without prejudice, as premature.
IT IS SO ORDERED.

Dated: August 7, 2014

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE