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

RALPH GARBARINI,)	Case No.: 1:14-cv-01058-AWI-SAB (PC)
)	
Plaintiff,)	
)	ORDER REGARDING PLAINTIFF'S NOTICE
v.)	TO COURT OF NON-RECEIPT OF ANSWER
)	TO COMPLAINT
WAYNE ULIT, et al.,)	
)	[ECF No. 12]
Defendants.)	
)	
)	

Plaintiff Ralph Garbarini is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On January 28, 2015, Plaintiff filed a notice of the Court of non-receipt of an answer to the complaint from Defendant Wayne Ulit. Plaintiff is advised that Defendant Ulit waived service of the summons and complaint, and a response to the complaint is due within sixty days after December 12, 2014, which has not yet expired. Thus, to the extent Plaintiff seeks entry of default as to Defendant Ulit, his request is premature and must be denied on such basis.

IT IS SO ORDERED.

Dated: January 29, 2015



 UNITED STATES MAGISTRATE JUDGE