

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAURICE HUNT,

CASE NO. 1:14-cv-1757 --- BAM

Plaintiff,

ORDER REGARDING MOTION FOR DEFAULT JUDGMENT

ELANA S. LANDAU; MICHAEL S. FRYE;
NICHOLAS POTTRATZ; DETECTIVE
DAVID FRIES; FRESNO COUNTY
SHERIFF'S DEPARTMENT.

(Doc. 7)

Defendants.

Plaintiff is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On April 13, 2015, Plaintiff filed a document requesting that the court enter default judgment against all Defendants on the basis that the case has not yet been screened.

(Doc. 7).

The Court is required to screen complaints brought by prisoners seeking relief against a governmental entity and/or against an officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). Plaintiff's complaint, or any portion thereof, is subject to dismissal if it is frivolous or malicious, if it fails to state a claim upon which relief may be granted, or if it seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1), (2); 28 U.S.C. § 1915(e)(2)(B)(ii). The Court will direct the United States Marshal to serve Plaintiff's complaint only after the Court has screened the complaint and determined that it contains a cognizable claim for relief against the named defendant. Plaintiff's complaint is currently in the screening stage and has not been

1 served any defendant. Therefore, the motion for default judgment was not properly filed and it will be
2 disregarded as it is premature. The Court is aware of Plaintiff's case and will screen the complaint in
3 due course.

4 IT IS SO ORDERED.
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6 Dated: April 20, 2015

7 /s/ *Barbara A. McAuliffe*
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UNITED STATES MAGISTRATE JUDGE