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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA

6 RONALD YOUNG,
7
8 Plaintiff,
9 v.
10 C. SISODIA,
11 Defendant.

1:15-cv-00640-LJO-EPG (PC)
ORDER DENYING PLAINTIFF'S
MOTION FOR ENTRY OF DEFAULT
AND MOTION FOR DEFAULT
JUDGMENT
(ECF NOS. 33 & 34)

12 Ronald Young ("Plaintiff") is proceeding *pro se* and *in forma pauperis* in this civil
13 rights action pursuant to 42 U.S.C. § 1983. The case is now proceeding on Plaintiff's Second
14 Amended Complaint against defendant C. Sisodia. (ECF Nos. 19, 20, & 23).

15 On May 22, 2017, Plaintiff filed a motion for entry of default (ECF No. 33) and a
16 motion for default judgment (ECF No. 34). Both motions will be denied.

17 The United States Marshal Service filed the executed waiver of service on May 4, 2017.
18 (ECF No. 31). According to the wavier, defendant Sisodia had 60 days from after March 29,
19 2017, in which to serve his answer. (Id.). Defendant Sisodia filed and served his answer on
20 May 23, 2017, which is within this time period. (ECF No. 32). Therefore, defendant Sisodia
21 did not default and Plaintiff is not entitled to an entry of default or a default judgment.

22 Accordingly, based on the foregoing, IT IS ORDERED that Plaintiff's motion for entry
23 of default and motion for default judgment are DENIED.

24 IT IS SO ORDERED.

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26 Dated: May 24, 2017

27 /s/ Eric P. Gray
28 UNITED STATES MAGISTRATE JUDGE