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

MIKE STARRETT, ) Case No.: 1:15-cv-01582-SAB (PC)  
)  
Plaintiff, )  
)  
v. ) ORDER AS TO WHY ENTRY OF DEFAULT  
) SHOULD NOT BE ENTERED AS TO ALL  
) NAMED DEFENDANTS  
)  
MARGARET MIMMS, et al., ) [ECF Nos. 22, 23, 24, 25]  
)  
Defendants. )  
)  
)

Plaintiff Mike Starrett is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(c), Plaintiff consented to the jurisdiction of the United States Magistrate Judge on October 29, 2015. Local Rule 302.

This action is proceeding on Plaintiff’s claims under the First, Sixth and Fourteenth Amendments for damages against Defendants Margaret Mimms, Gattie, Michelle Lefors, Campbell, Rodriguez, Dar, Hernandez, John Doe A (related to February 24, 2016, incident), and against John Doe B for promulgating and authority alleged unconstitutional “inmate correspondence” policy.

Despite waiving service of the summons and complaint, Defendants have not filed a response to Plaintiff’s complaint. (ECF Nos. 22, 23, 24, 25.)

Rule 55(a) of the Federal Rules of Civil Procedure requires that the Clerk of the Court 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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On this record it appears that entry of default is appropriate. Accordingly, within thirty (30) days from the date of service of this order, Plaintiff shall indicate whether entry of default against all named Defendants is appropriate.

IT IS SO ORDERED.

Dated: February 21, 2017

  
UNITED STATES MAGISTRATE JUDGE