

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

WILLIAM RATCLIFF,	)	Case No.: 1:16-cv-00584-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER AS TO WHY ENTRY OF DEFAULT
v.	)	SHOULD NOT BE ENTERED AS TO
	)	DEFENDANT AKANNO
J. AKANNO, et al.,	)	
	)	[ECF No. 16]
Defendants.	)	
	)	
	)	

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

This action is proceeding against Defendants J. Akanno, M. Spaeth, Ogun Omolade, A. Rangel, and A. Manasrah for deliberate indifference to Plaintiff’s health and safety in violation of the Eighth Amendment.

Despite being served with process on April 18, 2017, Defendant Akanno has not filed a response to Plaintiff’s complaint. (ECF No. 24.)

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).

///  
///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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 as to Defendant Akanno is appropriate.

IT IS SO ORDERED.

Dated: July 21, 2017

  
UNITED STATES MAGISTRATE JUDGE