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

ROBERT C. WILLIAMS,  
Plaintiff,  
v.  
GERARDO ALCALA, et al.,  
Defendants.

) Case No. 1:17-cv-00916-DAD-SAB (PC)  
)  
)  
) ORDER AS TO WHY ENTRY OF DEFAULT  
) SHOULD NOT BE ENTERED AS TO  
) DEFENDANTS ALCALA AND GARZA AND  
) DIRECTING OFFICE OF CLERK TO SERVE  
) COPY OF THIS ORDER ON DEPUTY  
) ATTORNEY GENERAL, ROBERT SANDOVAL  
)  
) [ECF No. 18]  
)  
) **THIRTY (30) DAY DEADLINE**  
)  
)  
)

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

This action proceeds against Defendants Gerardo Alcala and Stephen Garza for use of excessive force in violation of the Eighth Amendment of the United States Constitution.

On December 7, 2017, a waiver of service was returned by Defendants Alcala and Garza. (ECF No. 18.) Despite the waivers being mailed on September 20, 2017, Defendants have not filed a response to Plaintiff’s complaint. (*Id.*)

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Rule 55(a) of the Federal Rules of Civil Procedure requires that the Clerk of the Court enter default “[w]hen 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).

On this record it appears that entry of default is appropriate as to Defendants Alcala and Garza. Accordingly, within **thirty (30) days** from the date of service of this order, Plaintiff shall indicate whether entry of default as to Defendants Alcala and Garza is appropriate. The Office of the Clerk is directed to serve a copy of his order on Deputy Attorney General, Robert Sandoval at [robert.sandoval@doj.ca.gov](mailto:robert.sandoval@doj.ca.gov).

IT IS SO ORDERED.

Dated: December 14, 2017

  
UNITED STATES MAGISTRATE JUDGE