

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

ANGELA FARMER,

Plaintiff,

v.

COUNTY OF CALAVERAS, et al.,

Defendants.

Case No. 1:18-cv-00009-DAD-SAB

ORDER REQUIRING DEFENDANTS TO
FILE AN ANSWER WITHIN FIVE DAYS

On August 27, 2017, Plaintiff Angela Farmer filed this civil rights action pursuant to 42 U.S.C. § 1983 against Defendants County of Calaveras and Heather Gordon in the Sacramento Division of the Eastern District of California. (ECF No. 1.) Defendants filed a motion to dismiss on November 20, 2017. (ECF No. 5.) On January 2, 2018, the matter was transferred to the Fresno Division of the Eastern District of California at the stipulation of the parties. (ECF No. 10.)

On April 24, 2018, an order issued granting in part and denying in part Defendants motion to dismiss. (ECF No. 21.) Plaintiff was provided with the opportunity to file an amended complaint within twenty-one days of the April 24, 2018 order. (Id.) Plaintiff did not file an amended complaint.

Pursuant to Rule 12 of the Federal Rules of Civil Procedure, when a motion under Rule 12 is decided, the defendant has 14 days after notice of the court’s action to file a responsive

1 pleading. Fed. R. Civ. P. 12(a)(4)(A). The motion to dismiss was decided on April 24, 2018,
2 and Defendants have not filed a responsive pleading, nor have the parties stipulated to extend
3 time for a response.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Defendants shall file an answer to the complaint within five (5) days from the date
6 of entry of this order;
- 7 2. If Defendants do not file an answer in compliance with this order, Plaintiff shall
8 promptly move for entry of default;
- 9 3. If the parties agree to extend time for a responsive pleading to be filed they shall
10 file a stipulation prior to the date the responsive pleading is due; and
- 11 4. Failure to comply with this order may result in the issuance of sanctions up to and
12 including dismissal of this action.

13 IT IS SO ORDERED.

14 Dated: June 7, 2018

15 
16 _____
17 UNITED STATES MAGISTRATE JUDGE
18
19
20
21
22
23
24
25
26
27
28