

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
AT SACRAMENTO

TOVIA LAFAELE,
Plaintiff,

v.

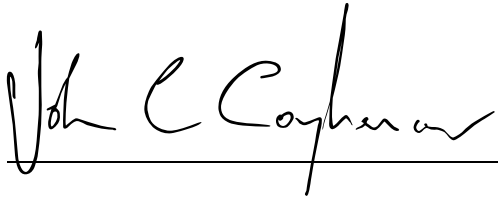
J. ARNOLD and J. L. HERRERA,
Defendants.

CASE NO. CIV 08-0958-JCC

ORDER DENYING MOTION FOR ENTRY
OF DEFAULT

This matter comes before the Court on Plaintiff Tovia LaFaele’s Motion for Entry of Default. (Dkt. No. 12.) Because defendants J. Arnold and J.L. Herrera have not yet been served with process, and their time for response has therefore not expired, this motion is premature. *See* FED. R. CIV. P. 55(a), 12(a). Therefore, the Court hereby DENIES the motion for entry of default.

DATED this 14th day of September, 2009.



John C. Coughenour
UNITED STATES DISTRICT JUDGE