

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

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT N. JOHNSON,

Plaintiff,
vs.

Civ. No. S 09-2286 KJM EFB

ROBERT D. HENSON, et al.,

Defendants.

ORDER

On April 4, 2011, this court issued an order directing attorney Douglas Jack Haycock to show cause in writing why he should not be sanctioned for his failure to participate in the preparation of a joint status report and failure to appear at the pretrial conference. He has not responded to the order. Because of his failure to participate in the proceedings in this case and his failure to respond to the court's orders, the imposition of sanctions is appropriate. Additionally, given the court's prior order notifying Mr. Haycock as defendants' counsel that the court was contemplating directing entry of default, and the lack of any response, entry of default also is appropriate. *Cf. Armagost v. United States*, 2010 WL 829178 (D. Neb. Mar. 4, 2010) (default may be appropriate for failure to prosecute action).

/////
/////
/////

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

IT IS THEREFORE ORDERED that:

1. The court directs Douglas Jack Haycock to pay sanctions in the amount of \$250. The sum is to be paid personally by Mr. Haycock within fourteen days of the date of this order in the form of a check made payable to the Clerk of the Court.

2. The answer filed November 20, 2009 is stricken.

3. The Clerk of the Court is directed to enter a default against Robert D. Henson and Shauna L. Henson as to all claims filed against them.

DATED: July 28, 2011.


UNITED STATES DISTRICT JUDGE

2

john2286.ord