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

DEWEY TERRY,

Plaintiff,

No. CIV S-10-0068 MCE GGH P

vs.

JOHN HIVILAND, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se seeks relief pursuant to 42 U.S.C. § 1983. Plaintiff has filed a motion for an entry of default, alleging that defendant failed to follow a court order to respond to a motion to compel. This motion is denied as meritless, as defendant timely filed a response to the motion to compel on February 15, 2011.

IT IS HEREBY ORDERED that plaintiff's motion for an entry of default (Doc. 37) is denied.

DATED: March 22, 2011

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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