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

LUIS ARMENTERO,

Plaintiff,

No. 2: 10-cv-965 KJN P

vs.

K.L. DICKINSON, et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prisoner proceeding without counsel with a civil rights action pursuant to 42 U.S.C. § 1983. On February 17, 2011, plaintiff filed a request for entry of default as to all defendants.

On December 23, 2010, the court ordered the U.S. Marshal to serve defendants. Service has not yet been returned either executed or unexecuted. For this reason, plaintiff's request for entry of default is premature.

Accordingly, IT IS HEREBY ORDERED that plaintiff's request for entry of default (Dkt. No. 41) is denied.

DATED: March 10, 2011


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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