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

MICHAEL CHESS,

Plaintiff,

No. 2: 10-cv-1261 LKK KJN P

vs.

TOM FELKER, et al.,

Defendant.

ORDER

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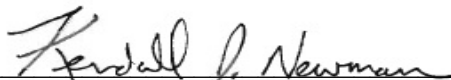
Pending before the court is plaintiff’s second motion for entry of default regarding defendant Phillips. In this motion, plaintiff alleges that he received a letter from defense counsel stating that she represents defendants Quezada, Felker, Grannis and Gower. The letter does not state that counsel represents defendant Phillips.

As stated in the January 3, 2011 order denying plaintiff’s first motion for default, on October 8, 2010, defendant Phillips filed an answer to the complaint. For this reason, plaintiff’s second motion for default is denied.

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1                   Accordingly, IT IS HEREBY ORDERED that plaintiff's second motion for  
2 default (Dkt. No. 34) is denied.

3 DATED: February 1, 2011

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6 KENDALL J. NEWMAN  
7 UNITED STATES MAGISTRATE JUDGE

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