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

MARIO WILLIAMS,

Plaintiff,

No. 2:11-cv-0638 GEB KJN P

vs.

JASON T. HUFFMAN, et al.,

Defendants.

ORDER

On October 18, 2011, plaintiff filed a second request to enter default as to defendant Huffman. On May 31, 2011, the court ordered the U.S. Marshal to serve defendants, but an executed summons has not yet been filed by the U.S. Marshal for defendant Huffman. Thus, the court cannot determine that defendant Huffman has been served. Plaintiff is advised that the U.S. Marshal will file a return of service once service of process on defendant Huffman is accomplished. Accordingly, IT IS HEREBY ORDERED that plaintiff's October 18, 2011 request for entry of default (dkt. no. 34) is denied.

DATED: October 31, 2011


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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