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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL GRESS,
Plaintiff,
v.
DR. CHRISTOPHER SMITH, et al.,
Defendants.

No. 2:13-cv-0328 KJN P

ORDER TO SHOW CAUSE

By an order filed January 23, 2014, this court directed the United States Marshal to serve all process without prepayment of costs. On April 1, 2014, defendants Omoniyi Akintola, Jacqueline Barnett, Mary Chase, Lawrence Fong, Richard Galloway, Wesley Hashimoto, Scott Heatley, Leonard Heffner, Alan Kettelhake, Sahir Naseer, Christopher Smith, Karen Todd, Stephen Tseng, and Belen Villanueva filed an answer.

On February 25, 2014, the Marshal returned the summons and complaint indicating service on defendant Boru Nale, M.D. was executed. Defendant, although properly served,¹ has not yet filed a responsive pleading. Accordingly, IT IS HEREBY ORDERED that:

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¹ Court records indicate that defendant Dr. Nale personally signed the waiver of service of summons on February 18, 2014. (ECF No. 32.) The United States Marshal has not yet returned summons or waivers for defendants Peter R. Col and Florencio Moreno.

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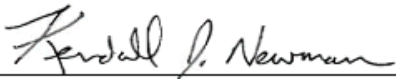
1. Defendant Dr. Nale show cause, within twenty-one days from the date of this order, why default should not be entered;

2. The Clerk of the Court shall forward a copy of this order to defendant Dr. Boru Nale, 4001 Hwy. 104, Ione, California 95640; and

3. The Clerk of the Court is directed to serve a copy of this order on Monica Anderson, Supervising Deputy Attorney General.

Dated: April 25, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE