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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS LANG, JR.,  
  
Plaintiff,  
  
v.  
  
SACRAMENTO SHERIFF  
DEPARTMENT, et al.,  
  
Defendants.

No. 2:14-cv-0777-EFB P

ORDER

Plaintiff is confined to Napa State Hospital. He proceeds without counsel in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff’s consent. *See* 28 U.S.C. § 636; *see also* E.D. Cal. Local Rules, Appx. A, at (k)(4).

On July 8, 2014, the court screened plaintiff’s complaint and found that service was appropriate for defendants Belchamber, Cherry, Green, Hein, McHenry, and Vale. ECF No. 8. On August 28, 2014, the court ordered service of the complaint on the defendants. ECF No. 12.

On January 29, 2015, the United States Marshal returned the forms USM-285/Process Receipts and Returns indicating that all of the defendants had been served. ECF No. 15. None of the defendants have appeared or otherwise responded to plaintiff’s complaint. Failure to answer or otherwise file a proper response to a complaint within the time required is grounds for the entry of default under Rule 55(a) of the Federal Rules of Civil Procedure.

Plaintiff has not filed anything with the court since he submitted a notice of his intent to proceed with this lawsuit on January 5, 2015. ECF No. 14. If plaintiff no longer wishes to pursue

1 this action, he may voluntarily dismiss it without prejudice by filing a notice of dismissal in  
2 accordance with Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff shall, within 30 days of the date of  
4 this order, file an appropriate motion based on the Federal Rules of Civil Procedure and indicate  
5 how, or if, he intends to proceed with this lawsuit. Failure to comply with this order will result in  
6 this action being dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

7 DATED: June 24, 2015.

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9 EDMUND F. BRENNAN  
10 UNITED STATES MAGISTRATE JUDGE  
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