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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TEVIN LEE HARRIS,
Plaintiff,
v.
R. VALENCIA, et al.,
Defendants.

No. 2: 19-cv-1751 DAD KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s motion for default judgment or to compel. (ECF No. 129.) For the reasons stated herein, plaintiff’s motion is denied.

The background to plaintiff’s pending motion follows herein. On October 20, 2022, the undersigned granted defendant’s motion to compel. (ECF No. 122.) The undersigned ordered plaintiff to serve defendant with a response to supplemental interrogatories and a supplemental response to the request for production of documents. (Id.) On December 12, 2022, the undersigned granted plaintiff’s request for extension of time to serve the supplemental response to the request for production of documents. (ECF No. 125.)

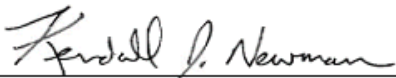
In the pending motion, plaintiff appears to claim that he served defendant with responses to the at-issue discovery requests, as ordered by the undersigned on October 20, 2022. (ECF No. 129.) Plaintiff appears to claim that defense counsel failed to acknowledge receipt of these

1 responses. (Id.) Plaintiff requests that default judgment be entered based on defense counsel's
2 failure to acknowledge receipt of these responses. (Id.) Plaintiff may also be requesting that the
3 court compel defense counsel to acknowledge receipt of these responses. (Id.)

4 Defense counsel is not required to acknowledge receipt of plaintiff's responses to the at-
5 issue discovery requests. Moreover, entry of default judgment is not appropriate based on these
6 circumstances.

7 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for default judgment or
8 to compel (ECF No. 129) is denied.

9 Dated: February 27, 2023

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12 KENDALL J. NEWMAN
13 UNITED STATES MAGISTRATE JUDGE
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