

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

JULIUS M. DELA CRUZ,

Defendant.

Case No. 98-cv-01737-MAG (JCS)

**ORDER FOR RESPONSE FROM
UNITED STATES**

On June 24, 1998, a default judgment was entered in this action against Defendant Julius M. Dela Cruz. On May 29, 2014, almost 16 years later, the United States filed an ex parte motion for writ of garnishment, which the Court granted on May 30, 2014. Defendant filed a response to the writ of garnishment on June 18, 2014 in which he states, *inter alia*, that he did not receive notice of the original action, that he does not owe the underlying loan amount, and that having only recently received the underlying documents in the case he wishes to clear his name.

The Court requests a response from the United States within fourteen (14) days of the date of this Order addressing whether Plaintiff's response should be construed as a motion to vacate the default under Rule 60 and/or how the Court should proceed in this matter.

IT IS SO ORDERED.

Dated: July 7, 2014


JOSEPH C. SPERO
United States Magistrate Judge