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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAFRED FULFORD,
Plaintiff,
v.
DON M. GRIFFITH,
Defendant.Case No. [16-cv-00770-MEJ](#)**ORDER DENYING PLAINTIFF'S
REQUEST FOR DEFAULT JUDGMENT**

Re: Dkt. No. 24

Plaintiff, a California prisoner currently incarcerated at California Medical Facility, filed this *pro se* civil rights action under 42 U.S.C. § 1983 alleging that Dr. Griffith was deliberately indifferent to his serious medical needs. Now pending before the Court is Plaintiff's request for entry of default judgment in his favor. Dkt. No. 24. Plaintiff argues that he is entitled to default judgment because Dr. Griffith has failed to file a dispositive motion by the deadline set forth in the Court's December 29, 2016 Order Denying Motion to Dismiss, Denying Motion to Strike and Setting Briefing Schedule. Plaintiff's motion is DENIED. Defendant timely filed a dispositive motion on March 30, 2017. Dkt. No. 23.

IT IS SO ORDERED.

Dated: April 17, 2017



MARIA-ELENA JAMES
United States Magistrate JudgeUnited States District Court
Northern District of California