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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

RONALD LEE ROSS,

Plaintiff,

vs.

MR. MIKE HETTICHER, Local President,
American Postal Workers Union, Local 1056,

Defendant.

Case No: C 08-4534 SBA

**ORDER DENYING PLAINTIFF'S
MOTION FOR DEFAULT JUDGMENT**

Docket 22

Plaintiff has filed a pro se motion for default judgment on the ground that Defendant served his Answer without a certificate of service. No default has been entered by the Clerk nor has Plaintiff noticed his motion consistent with the Local Rules. The Court has previously warned Plaintiff although he is representing himself in this action, he is expected to comply with all applicable procedural rules. See King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987). Plaintiff is again warned that the failure to comply with the orders and rules of this Court may be considered grounds for dismissal of the action, with prejudice. See Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995); Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992). Accordingly,

IT IS HEREBY ORDERED THAT Plaintiff's motion for default judgment (Docket 22) is DENIED.

IT IS SO ORDERED.

Dated: September 1, 2009


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ROSS et al,
Plaintiff,

v.

HETTICHER et al,
Defendant.

_____ /

Case Number: CV08-04534 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 2, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ronald Lee Ross
725 Walnut Drive
Rio Dell, CA 95562

Dated: September 2, 2009

Richard W. Wieking, Clerk

By: LISA R CLARK, Deputy Clerk