

\*\*E-Filed 6/28/2010\*\*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

MARK S. BUZA,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION,

Defendant.

Case Number C 10-00326 JF (PVT)

ORDER RE PLAINTIFF'S MOTIONS  
FOR ENTRY OF DEFAULT AND  
PRO SE FEES.

[re: docket nos. 10, 16]

On January 25, 2010, Plaintiff Mark S. Buza ("Plaintiff") filed a complaint against Defendant California Department of Corrections and Rehabilitation alleging the following claims for relief: a violation of Plaintiff's Fourth, Fifth, and Fourteenth Amendment rights, pursuant to 42 U.S.C. § 1983; conspiracy to interfere with Plaintiff's constitutional rights, pursuant to 42 U.S.C. § 1985; neglecting to prevent the violation of Plaintiff's constitutional rights, pursuant to 42 U.S.C. § 1986; conspiracy against Plaintiff's constitutional rights; pursuant to 18 U.S.C. § 241; deprivation of rights under color of law, pursuant to 18 U.S.C. § 242; and frauds and swindles, pursuant to 18 U.S.C. § 1341.

On April 16, 2010, Plaintiff moved for entry of default and set the motion for hearing on July 2, 2010. Pursuant to Fed. R. Civ. P. 55(a), a motion for entry of default should be directed

1 to the Clerk of the Court. If and when the Clerk enters default, Plaintiff then may move for  
2 default judgment. Accordingly, the hearing on the instant motion is VACATED, and the motion  
3 for entry of default is referred to the Clerk of the Court. The motion for “pro se fees” that  
4 appears to depend on the motion for entry of default is TERMINATED without prejudice.<sup>1</sup> A  
5 case management conference is hereby scheduled for August 27, 2010 at 10:30 A.M.

6 IT IS SO ORDERED.

7 Dated: June 28, 2010

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10 JEREMY FOGEL  
11 United States District Judge  
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<sup>1</sup> A motion for “pro se fees” is not supported by legal authority.

1 This Order has been served upon the following persons:

2 Mark S Buza  
3 1060 Howard Street  
4 San Francisco, CA 94103

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