

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

<p>SALVATORE H. VITALE, IV,  Plaintiff(s),</p>	
<p>v.</p>	
<p>SOCIAL SECURITY ADMINISTRATION,  Defendant(s).</p>	

Case No. 2:12-CV-2010 JCM (GWF)

ORDER

Presently before the court is plaintiff Salvatore H. Vitale IV's unopposed motion for the court to enter judgment pursuant to Federal Rule of Civil Procedure 58(d). (Doc. # 36). Defendant did not file a response, and the deadline to respond has now passed.

On June 17, 2014, the court adopted Magistrate Judge Foley's report and recommendation, (doc. # 27), and granted plaintiff's motion to remand the matter to the Social Security Administration, (doc. # 19). On the same date, the clerk closed the case.

Plaintiff now asks the court to enter a judgment so that he can move for attorney's fees. (Doc. # 36). Plaintiff contends that such a motion would not be ripe until the court has entered a judgment.

While the court granted plaintiff's motion to remand, no actual judgment was rendered in this case. Therefore, entry of a judgment for plaintiff is not warranted at this time.

...  
...  
...  
...  
...  
...

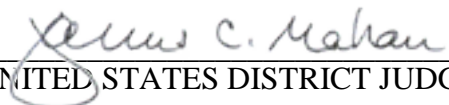
James C. Mahan  
U.S. District Judge

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion to enter judgment, (doc. # 36), be, and the same hereby is, DENIED.

DATED October 9, 2014.

  
UNITED STATES DISTRICT JUDGE