

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DAVID WILSON,

Plaintiff,

v.

ESSEX COUNTY JAIL RE-ENTRY PROGRAM,
et al.,

Defendants.

Civil Action No.: 17-694 (JLL)

ORDER

IT APPEARING THAT:

1. On February 3, 2017 *pro se* Plaintiff David Wilson filed the within action seeking to recover damages pursuant to, *inter alia*, 42 U.S.C. § 1983. (ECF No. 1). This Court dismissed the action against all Defendants, with the exception of Defendant Davis, on April 3, 2017. (ECF Nos. 12, 13).

2. On that same date, Plaintiff filed his Amended Complaint (ECF No. 14), which is the operative Complaint at this time.

3. On June 2, 2017, Plaintiff effectuated service on Defendant Davis. (ECF No. 23).

4. Default was entered against Defendant Davis, but was later vacated as Magistrate Judge Joseph A. Dickson had entered an Order extending Defendant Davis' time to answer until August 17, 2017. (ECF Nos. 29, 31).

5. Thereafter, Plaintiff filed two separate motions. The first is a Motion for Default Judgment as to Defendant Davis. (ECF No. 37). The second motion is a Motion for Leave to File a Second Amended Complaint. (ECF No. 35). It is apparent that the Motion for Default Judgment

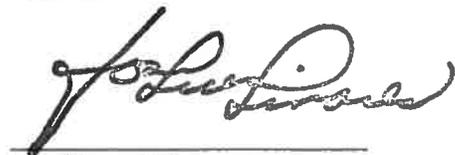
is premature since default has been vacated against Defendant Davis (*see* Fed. R. Civ. P. 55(b)), and because Plaintiff has since sought to further amend his Complaint.

IT IS THEREFORE on this 3rd day of August, 2017,

ORDERED that Plaintiff's Motion for Default Judgment (ECF No. 37) is hereby ADMINISTRATIVELY TERMINATED; and it is further

ORDERED that the termination is not an adjudication on the merits; and it is further

ORDERED that the Clerk of the Court shall forward Plaintiff a copy of this Order via regular mail.



JOSE L. LINARES
Chief Judge, United States District Court