

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jan 27, 2025

SEAN F. McAVOY, CLERK

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

STEPHEN RAY JACKSON, SR.,

Plaintiff,

v.

ASOTIN COUNTY, ASOTIN  
COUNTY PRE-TRIAL-RELEASE  
MISDAMEANOR PROBATION  
DEPT., DEPUTY NATHAN  
ULHORN, ASOTIN COUNTY  
SHERIFF'S DEPT., ASOTIN  
COUNTY PROSECUTOR'S  
OFFICE, DEPUTY PROSECUTOR  
NIKLAUS WARD, THE CITY OF  
CLARKSTON, CLARKSTON  
POLICE DEPT., POLICE SGT.  
DARIN BOYD and POLICE OFFICE  
BRAD PETERS,

Defendants.

No. 2:24-CV-0430-TOR

ORDER DENYING MOTION FOR  
DEFAULT

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BEFORE THE COURT is Plaintiff's Motion and Order to Enter / Enforce  
Default Judgment. ECF No. 5. This matter was submitted for consideration

1 without oral argument. The Court has reviewed the record and files herein and is  
2 fully informed.

### 3 **DISCUSSION**

4 Plaintiff seeks entry of an order of default against all named Defendants.  
5 Plaintiff has not shown that he served the summons and complaint on any of the  
6 Defendants.

7 According to Local Civil Rule 55(a)(2), “[t]he moving party must show (a)  
8 that the party against whom default is sought was properly served with the  
9 summons and complaint in a manner authorized by Federal Rule of Civil  
10 Procedure 4; (b) that the party has failed to timely plead or otherwise defend; and  
11 (c) that proper notice of the intention to seek an entry of default, as described  
12 above, has been accomplished.” According to Local Civil Rule 55(a)(1),  
13 “[w]ritten notice of the intention to move for entry of default must be provided to  
14 counsel or, if counsel is unknown, to the party against whom default is sought,  
15 regardless of whether counsel or the party have entered an appearance. Such  
16 notice shall be given at least 14 days prior to the filing of the motion for entry of  
17 default.”

18 Here, Plaintiff has not complied with Federal Rules of Civil Procedure 4.

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1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 Plaintiff's Motion and Order to Enter / Enforce Default Judgment, ECF No.  
3 5, is **DENIED.**

4 The District Court Executive is directed to enter this Order and furnish a  
5 copy to Plaintiff at his last known address.

6 **DATED** January 27, 2025.



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*Thomas O. Rice*  
THOMAS O. RICE  
United States District Judge