

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LAMONT D. WALKER,

Plaintiff,

v.

RYAN ARMSON, VICTOR TRIMBLE,
BRIAN NEUMAIER, JEFF VANA,
KIMM JOHNSON, DR, WILLIAM GISWOLD,
DR. JIM THORPE, PAUL KETARKUS
and GLENN BENNETT,

Defendants.

ORDER

09-cv-756-slc

On September 24, 2010, this court granted plaintiff leave to proceed on his claims that defendants acted with deliberate indifference to plaintiff's serious dental needs in violation of the Eighth Amendment. That same day, this court forwarded to the office of the Attorney General a copy of plaintiff's complaint for acceptance of informal service of process on defendants, together with this court's September 24 order allowing plaintiff to proceed on his claim. Now, plaintiff has filed a motion for entry of default pursuant to Fed. R. Civ. P. 55(a).

Under an agreement entered into between the Wisconsin Department of Justice and the court allowing for informal service of process on Department of Corrections employees in cases filed by pro se prisoners, defendants have 40 days from the date of the Notice of Electronic Filing in which to file a responsive pleading on behalf of those defendants for which the Attorney General accepts service. In this case, the Attorney General accepted service on behalf of all defendants except Jeff Vana. Pursuant to the agreement, these defendants had until November 3, 2010, in which to file an answer. They met this deadline exactly.

Defendant Vana was served with plaintiff's complaint on November 8, 2010. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(I), Vana had until November 30, 2010 in which to file his answer. He filed his answer on November 24, 2010.

ORDER

IT IS ORDERED that plaintiff's motion for entry of default, dkt. 32, is DENIED.

Entered this 2nd day of December, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge