

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

DeCheri Hafer v. United States, et al.

Hafer · No. 1:22-cv-00972-JLT-EPG · Decided January 12, 2026

OPINION

DeCheri Hafer v. United States, et al.

PER CURIAM.

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

8 9 DECHERI HAFER, Case No. 1:22-cv-00972-JLT-EPG 10 Plaintiff,

11 FINDINGS AND RECOMMENDATIONS,

v. RECOMMENDING THAT PLAINTIFF'S

12 MOTION FOR DEFAULT JUDGMENT BE

UNITED STATES, et al.,

DENIED

13 Defendants. (ECF No. 36) 14

OBJECTIONS, IF ANY, DUE WITHIN

15 THIRTY (30) DAYS

16 17 Plaintiff DeCheri Hafer, proceeding pro se, filed a motion for default judgment in this 18
closed case on December 29, 2025. (ECF No. 36). Plaintiff's motion asks for the Court to grant a
19 default judgment in her favor for \$1,001,600,000 against Defendants the United States and
Social Security Administration. Plaintiff claims that Defendants have not filed a response to her 20
complaint. 21 However, the Court granted the Commissioner of Social Security's motion to
dismiss and 22 closed this case on April 6, 2023. (ECF No. 31 and 33). Moreover, the Court
subsequently 23 denied Plaintiff's motion to reopen the case on August 20, 2025. (ECF No. 35).
24 For the reasons set forth below, the Court recommends denying Plaintiff's motion for a 25
default judgment. 26 /// 27 /// 28

1 I. BACKGROUND

2 Plaintiff initiated this action by filing a complaint on July 22, 2022. (ECF No. 1). 3 Plaintiff's
complaint asserted various claims against the Commissioner of Social Security, the 4 Social
Security Administration, and the United States related to the denial of Plaintiff's social security
benefits. 5 On December 12, 2022, the Commissioner of Social Security filed a motion to dismiss
6 Plaintiff's claims pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). (ECF No.

7 25). 8 On March 6, 2023, the undersigned issued findings and recommendations, recommending
9 that the Commissioner's motion to dismiss be granted. (ECF No. 30). On April 6, 2023, District
10 Judge adopted the Findings and Recommendations in part, 1 dismissed Plaintiff's claims
without 11 prejudice, and directed the Clerk of the Court to close the case. (ECF Nos. 32 and 33).
12 On July 10, 2025, Plaintiff filed a Motion to Reopen the Case and Enter Default 13 Judgment.
(ECF No. 33). On August 20, 2025, the District Judge denied Plaintiff's motion and 14 ordered
that the case shall remain closed. (ECF Nos. 33 and 35). 15 On December 29, 2025, Plaintiff filed
a Motion for Default Judgment. (ECF No. 36). 16 Plaintiff's motion consists of several forms
requesting the Court to grant Plaintiff's motion for 17 default judgment, asserting the Defendants
have failed to file a response to Plaintiff's complaint.

18 II. ANALYSIS

19 Federal Rule of Civil Procedure 55 permits the Court to enter a default judgment 20 following
entry of default by the clerk when a party has failed to plead or otherwise defend a 21 case. Fed.
R. Civ. P. 55(b)(2). 22 Default judgment is not warranted here because there has been no entry of
default. 23 Rather, the case was closed on April 6, 2023, and judgment was entered in favor of
Defendant. Moreover, the Court previously denied Plaintiff's motion to reopen the case. 24 As the
case has been closed and not re-opened, there has been no failure of Defendant to 25 26 1 The
District Judge declined to adopt the recommendation that certain claims be dismissed with
prejudice, 27 and instead dismissed all claims without prejudice. (ECF No. 31, at p. 2)
("Accordingly, the claims against the Social Security Administration and the United States will be
dismissed without prejudice for 28 lack of subject matter jurisdiction, rather than the
recommended dismissal with prejudice."). 1 | plead or otherwise defend the case, and Plaintiff is
not entitled to default judgment.

2 I. CONCLUSION AND RECOMMENDATIONS

3 Accordingly, IT IS RECOMMENDED as follows: 4 1. Plaintiff's motion for default judgment be
DENIED. (ECF No. 36). 5 These findings and recommendations will be submitted to the United
States District Judge 6 | assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)
(1). Within thirty (30) 7 | days after being served with these findings and recommendations,
Plaintiff may file written g | objections with the Court. The document should be captioned
"Objections to Magistrate Judge's g | Findings and Recommendations." Any objections shall be
limited to no more than fifteen (15) 10 | Pages, including exhibits. Plaintiff is advised that failure
to file objections within the specified 1] | time may result in the waiver of rights on appeal.
Wilkerson v. Wheeler, 772 F.3d 834, 838-39 12 | (Oth Cir. 2014) (citing Baxter v. Sullivan, 923
F.2d 1391, 1394 (9th Cir. 1991)). 13 IT IS SO ORDERED. 14 1s | Dated: _ January 10, 2026 [Je
hey □

6 UNITED STATES MAGISTRATE JUDGE

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