

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

NATHANIEL HAYES, #172136,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:11-CV-38-ID
	)	CIVIL ACTION NO. 2:11-CV-44-ID
	)	[WO]
	)	
ALA. DEPT. OF CORRECTIONS	)	
COMMISSIONER, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On February 2, 2011, the defendants filed a response in compliance with an order requiring information regarding Sgt. Jenkins in which they advise “[t]here is no Sgt. Jenkins employed at Kilby Correctional Facility.” *Defendants’ Response - Court Doc. No. 26* at 1. Although the defendants acknowledge two correctional officers named Jenkins employed at Kilby, they assert that the plaintiff fails to properly identify this officer for purposes of perfecting service. *Id.* In light of the foregoing, it is

ORDERED that on or before February 12, 2011 the plaintiff shall file a response in which he provides the court with either a first name for officer Jenkins or a detailed description of this officer so that service can be perfected on this individual. The plaintiff is advised that if he fails to respond to this order officer Jenkins will not be served and he will therefore not be a party to this cause of action.

Done this 2<sup>nd</sup> day of February, 2011.

/s/ Charles. S. Coody  
CHARLES S. COODY  
UNITED STATES MAGISTRATE JUDGE