

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

DEREK MAURICE PARKS, SR.
ADC #128186

PLAINTIFF

V.

NO: 2:10CV00023 JLH/HDY

JOSEPH HUGHES *et al.*

DEFENDANTS

ORDER

Plaintiff filed this complaint on February 22, 2010, and service was ordered. However, on March 24, 2010, the summons was returned unexecuted as to Defendants Gray and Spears, because they are not current employees of the Arkansas Department of Correction's medical provider (docket entries #15 & #16). Counsel for the medical provider filed under seal the last known address for Joe Spears, who is believed to be the Spears Plaintiff identified. However, Plaintiff did not provide enough information for Gray to be identified in order for a last known address to be provided. Accordingly, service will be attempted at Spears's last known address. Plaintiff must provide a first name for Gray so that counsel for the medical provider can search for Gray's last known address.

IT IS THEREFORE ORDERED THAT:

1. The Clerk is directed to change the style of the case to reflect the correct name of Defendant Joe Spears.
2. Spears's last known addresses shall not be made part of any public record.
3. The Clerk of the Court shall prepare a summons for Spears, and the United States Marshal is hereby directed to serve a copy of the summons and complaint (docket entry #3), and this order, on Spears, at the addresses provided under seal, without prepayment of fees and costs or

security therefor.

4. Upon re-issuance of the summons and complaint, the United States Marshal is hereby directed to send Plaintiff's copy of process to the Clerk of the Court, who shall then remove the address prior to forwarding a copy to Plaintiff.

5. Plaintiff is directed to provide a full name for Defendant Gray no later than 30 days after the entry of this order. Plaintiff's failure to do so will result in the recommended dismissal of his claims against Gray.

DATED this 25 day of March, 2010.



UNITED STATES MAGISTRATE JUDGE