

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

BRANDON FRITTS
ADC #120999

PLAINTIFF

V.

NO: 5:10CV00171 SWW/HDY

RAY HOBBS *et al.*

DEFENDANTS

ORDER

Plaintiff filed this complaint (docket entry #2) on June 3, 2010, and service was ordered. On August 19, 2010, the summons was returned unexecuted as to Defendant John Whaley (docket entry #9). Service had been attempted in the care of the Arkansas Department of Correction, but was returned because Whaley is not a current employee. However, Whaley's last known address was provided and filed under seal. Accordingly, service will be attempted at the address provided.

IT IS THEREFORE ORDERED THAT:

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

DATED this 23 day of August, 2010.



UNITED STATES MAGISTRATE JUDGE