

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

NORRIS LEE,

Plaintiff,

vs.

1: 02 CV 05037 LJO YNP GSA (PC)

ORDER

E. ALAMEIDA, et al.,

Defendants.

Plaintiff was directed to complete and submit to the court forms for service of process upon Defendants M. Garcia and J. Abbati-Harlow. On June 11, 2009, Plaintiff returned to the court the USM 285 forms for service of process. Plaintiff did not, however, include the correct defendants. The order directing service advised Plaintiff that the operative pleading states a claim only as to defendants Garcia and Abbati-Harlow.

On July 14, 2009, an order was entered, directing Plaintiff to re-submit to the court two USM 285 forms that include the names of the correct defendants. Plaintiff again returned to the court the forms with the incorrect defendants identified.

The court will provide Plaintiff one further opportunity to comply with the court's order finding that the operative pleading states a claim as to defendants Garcia and Abbati-Harlow. Should Plaintiff fail to return the USM 285 forms to the court in proper form, including

1 defendants Garcia and Abbati-Harlow, the court will recommend dismissal of this action for
2 Plaintiff's failure to obey a court order pursuant to Local Rule 11-110.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The Clerk;s Office shall send to Plaintiff two USM 285 forms.
- 5 2. Plaintiff is directed to complete and return to the court, within thirty days, the USM
6 285 forms in accordance with the order of June 2, 2009.

7 IT IS SO ORDERED.

8 **Dated: December 16, 2009**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26