IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

Dana McMaster, Plaintiff, vs. Doctor Thomas, et al., Defendants.	No. CV 1-04-6453-FRZ **ORDER TO SHOW CAUSE**

A review of the record reflects that waivers of service have attempted to be served on all six Defendants at issue in this case. Three of the waivers of service have been returned executed (Defendants Salazar, Nicholes, and Sedwick). Three of the waivers of service documents have been returned unexecuted as to the other three Defendants ("Doctor Thomas", "Mr. Combs", "Dr. Ortiz"). As to "Doctor Thomas", the remarks section of the Marshals' process receipt and return states: "per facility, no record of defendant"; "per CDC locator, several 'Thomas' in database." As to "Mr. Combs", the remarks section of the Marshals' process receipt and return states: "per facility, never employed." As to "Doctor Ortiz", the remarks section of the Marshals' process receipt and return states: "Doctor Ortiz no longer worked at Pleasant Valley SP."

IT IS ORDERED that Plaintiff **show cause, on or before December 18, 2009**, **by filing a "Response to Order to Show Cause"** setting forth why named Defendants "Doctor Thomas", "Mr. Combs", and "Dr. Ortiz", who have not appeared in this action, should not be dismissed from this case for failure to effect service pursuant to FED.R.CIV.P. 4.

DATED this 25th day of November, 2009.

FRANK R. ZAPATA
United States District Judge

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