Cir. 1994), overruled on other grounds by Sandin v. Conner, 515 U.S. 472 (1995), (requiring a pro se prisoner plaintiff to have "furnished the information necessary to identify the defendant") (internal citation omitted).

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Having pursued and exhausted the information provided by Plaintiff, neither the Marshal nor the Court is permitted to offer further assistance in determining the whereabouts of Cox. See e.g. *DeRoche v. Funkhouser*, 2008 WL 4277659, \*1 (D. Ariz. 2008) ("[N[either the Marshal Service nor the Court may engage in investigatory efforts on behalf of the parties to a lawsuit as this would improperly place the Court in the role of an advocate." (citing *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir.1991)). Plaintiff now has two choices; he may provide additional information with which the Marshal may attempt to identify and serve Cox or wait until the proceedings enter the discovery stage, assuming that stage is reached, and subpoena third parties for information concerning Cox's whereabouts. As Defendant Cox has not been served, entry of default will be denied.

Accordingly,

**IT IS ORDERED** Plaintiff's Application for Entry of Default as to Defendants Trujillo and S.S. Cox **IS DENIED.** 

DATED this 7<sup>th</sup> day of May, 2010.

Roskh O. Silver United States District Judge