

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

Ruben Odell Boulware,

No. CV-05-01565-ROS

Plaintiff,

ORDER

VS.

Ervin, Jr., et al.,

Defendants.

On June 16, 2009, a waiver of service of summons was returned executed by Defendant Manuel. (Doc. 28). Defendant Manuel has not filed an answer to the Amended Complaint or otherwise filed any pleadings. On April 9, 2010, Plaintiff obtained an Entry of Default against Defendant Manuel. (Doc. 44). The Office of the Attorney General, upon prompting from the Court, filed a Notice to the Court indicating it does not represent Defendant Manuel. (Doc. 57). On April 13, 2010 and May 5, 2010, Plaintiff filed motions for default judgment against Defendant Manuel. (Docs. 45, 49). Defendants will be ordered to file Defendant Manuel's mailing address *ex parte* and **under seal** for the safety of Defendant Manuel. In the alternative, Defendants may file a notice indicating they do not have Defendant Manuel's mailing address and cannot obtain it through reasonable means.

On December 8, 2010, the Court Ordered that “no later than January 7, 2011, Plaintiff shall file additional information about Defendants Trujillo and Cox’s respective locations sufficient to allow the U.S. Marshals to complete service. If Plaintiff does not provide such

1 information, the Clerk of the Court shall automatically dismiss Defendants Trujillo and Cox
2 without awaiting further order from the Court.” (Doc. 56). Plaintiff has not filed the
3 required information. Defendants Trujillo and Cox will be dismissed.

4 **IT IS ORDERED the Clerk of the Court shall dismiss Defendants Trujillo and**
5 **Cox.**

6 **IT IS FURTHER ORDERED** Plaintiff’s Motions for Default Judgment (**Docs. 45**
7 **and 49**) remain under advisement.

8 **IT IS FURTHER ORDERED** no later than January 28, 2011, Defendants shall file
9 Defendant Manuel’s mailing address *ex parte* and **under seal** for the safety of Defendant
10 Manuel. In the alternative, Defendants may file a notice indicating they do not have
11 Defendant Manuel’s mailing address and cannot obtain Defendant Manuel’s mailing address
12 through reasonable means.

13 DATED this 14th day of January, 2011.

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Roslyn O. Silver
Chief United States District Judge