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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

NICHOLAS MORAN,  
Plaintiff,  
vs.  
JOHN DOVEY, et al.,  
Defendants.

CASE NO. 1:08-cv-00016-AWI-SMS PC  
ORDER REQUIRING PLAINTIFF TO  
FURNISH FURTHER INFORMATION  
FOR INITIATION OF SERVICE OF  
PROCESS  
(Doc. 20)

Plaintiff Nicholas Moran (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in a civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff’s Second Amended Complaint, filed November 18, 2008, against (1) Defendants Do, Moreno, Perez, Garza, and Hill for use of excessive force in violation of the Eighth Amendment, arising from two incidents on November 22, 2006; and (2) Defendants Harden, Chesley, and Aguilar for endangering Plaintiff’s safety in violation of the Eighth Amendment, arising out housing Plaintiff and inmate Kor together on August 31, 2007. Because Plaintiff is proceeding in forma pauperis, the Court must appoint the United States Marshal to serve each defendant with a summons and complaint. Fed. R. Civ. Pro. 4(c)(2). However, the Marshal cannot locate and serve unidentified defendants.

Within thirty days from the date of service of this order, Plaintiff shall provide the court with further information to assist the Marshal in serving Defendant J. Lopez as there are more than one prison employee with the names “J. Lopez” and “Moreno.” If Plaintiff can remember any details that might assist the Court and the Marshal to identify these two Defendants, Plaintiff shall so inform the court. For example, what title and/or rank was Defendant J. Lopez and/or Defendant Moreno? What area of

1 the prison did Defendant J. Lopez and/or Defendant Moreno work on the date(s) in question? What  
2 hours did Defendant J. Lopez and/or Defendant Moreno work on the date(s) in question? Can Plaintiff  
3 recall any physical attributes of Defendant J. Lopez and/or Defendant Moreno, such as age, gender, hair  
4 color, eye color, height, weight, and the like? Does Plaintiff remember anything that might differentiate  
5 Defendant J. Lopez and/or Defendant Moreno from other prison personnel who bear that same name?

6 Based on the foregoing, it is HEREBY ORDERED that within thirty (30) days from the date of  
7 service of this order, Plaintiff shall provide the court with any and all information he has that might help  
8 the Marshal identify and serve Defendant J. Lopez and/or Defendant Moreno.

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10 IT IS SO ORDERED.

11 **Dated:** April 1, 2010

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE

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