

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JEAN-PIERRE K. THOMAS,

1:08-CV-00689-OWW-DLB PC

Plaintiff,

ORDER GRANTING REQUEST FOR  
ISSUANCE OF NEW SUMMONS FOR  
DEFENDANT **M. P. GARCIA**

v.

M. GARCIA, et al.,

(ECF NO. 38)

Defendants.

SERVICE OF PROCESS DEADLINE  
EXTENDED **SIXTY DAYS**

Plaintiff Jean-Pierre K. Thomas (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendants Bonilla and M. Garcia for violation of the Eighth Amendment. Pending before the Court is Plaintiff’s motion requesting issuance of a new summons. Plaintiff contends that the correct name of Defendant is “M. P. Garcia,” not “M. Garcia.” (Mot. 1.) Plaintiff contends there are at least four officers named M. Garcia at Kern Valley State Prison. (Mot. 2.)

The Court will grant Plaintiff’s request. Accordingly, it is **HEREBY ORDERED** that

1. The Clerk of the Court is directed to issue and send Plaintiff one (1) summons;
2. Plaintiff shall complete service of process on Defendant M. P. Garcia, pursuant to the Court’s October 20, 2009 Order (ECF No. 20), within **sixty (60) days** from the date of service of this order; and
3. Plaintiff’s failure to timely complete service of the complaint on Defendant M. P. Garcia may result in dismissal of this action against that defendant. Fed. R. Civ. P. 4(m).

IT IS SO ORDERED.

**Dated: July 13, 2010**

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE