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prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

In cases involving a plaintiff proceeding in forma pauperis, the Marshal, upon order of the Court, shall serve the summons and the complaint. 28 U.S.C. § 1915(d); Fed. R. Civ. P. 4(c)(3). “[A]n incarcerated pro se plaintiff proceeding in forma pauperis is entitled to rely on the U.S. Marshal for service of the summons and complaint and [he] should not be penalized by having his action dismissed for failure to effect service where the U.S. Marshal or the court clerk has failed to perform his duties.” Walker v. Sumner, 14 F.3d 1415, 1422 (9th Cir. 1994) (internal quotations and citation omitted), abrogated on other grounds by Sandin v. Connor, 515 U.S. 472 (1995). “So long as the prisoner has furnished the information necessary to identify the defendant, the marshal’s failure to effect service is automatically good cause. . . .” Walker, 14 F.3d at 1422 (internal quotations and citation omitted). However, where a pro se plaintiff fails to provide the Marshal with accurate and sufficient information to effect service of the summons and complaint, the Court’s sua sponte dismissal of the unserved defendants is appropriate. Walker, 14 F.3d at 1421-22.

Based on the information provided by Corcoran State Prison, Defendant Barda has moved to Israel and is no longer employed by the California Department of Corrections and Rehabilitation. Plaintiff has failed to show good cause why Defendant Barda should not be dismissed from this action. Fed. R. Civ. P. 4(m); Walker, 14 F.3d at 1421-1422.

Accordingly, based on the foregoing, Defendant Barda is HEREBY DISMISSED from this action, without prejudice, pursuant to Rule 4(m).

IT IS SO ORDERED.

Dated: April 4, 2014

  
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SENIOR DISTRICT JUDGE