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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

RAUL SANCHEZ ZAVALA,

CASE NO. 1:09-cv-00679-BAM PC

Plaintiff,

ORDER NOTIFYING PLAINTIFF THAT  
SERVICE OF PROCESS DOES NOT COMPLY  
WITH FED. R. CIV. P. 4

v.

HECTOR RIOS, et al.,

(ECF No. 37)

Defendants.

TEN-DAY DEADLINE

Plaintiff Raul Sanchez Zavala (“Plaintiff”) is a federal prisoner proceeding in forma pauperis in this civil action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388, 91 S.Ct. 1999 (1971), which provides a remedy for violation of civil rights by federal actors. On June 29, 2012, a proof of service was filed stating that service documents had been served on Senior Counsel of the Federal Bureau of Prisons.

At the time this action was opened, the Bureau of Prisons Regional Counsel, Litigation Coordinator, and United States Attorney’s Office were added as counsel of record for administrative reasons, which has caused confusion in this action. No defendant has made an appearance in this action, therefore upon review of the record there is no evidence that service in compliance with Federal Rule of Civil Procedure 4 has been effected.

When serving an employee of the United States sued in his individual capacity, plaintiff is required to serve a copy of the summons and complaint on the United States and on the employee. Fed. R. Civ. P. 4(i)(3). Plaintiff’s proof of service does not show that the employee has been served in compliance with Rule 4(i)(3) In this instance, Plaintiff is proceeding in forma pauperis and is

