

1 January 17, 2014, the United States Marshal filed a return of service unexecuted as to Defendant
2 Jimenez. (ECF No. 115.)

3 On March 24, 2014, the Court issued an order requiring Plaintiff to show cause why Defendant
4 Jimenez should not be dismissed from this action. (ECF No. 130.) On April 3, 2014, Plaintiff filed a
5 response to the show cause order. In his response, Plaintiff details his efforts to obtain an address for
6 serving Defendant Jimenez, RN. The Court found that Plaintiff had been diligent in his efforts to
7 obtain accurate and sufficient information to effect service of the summons and complaint and
8 extended the deadline for Plaintiff to provide information to serve Defendant Jimenez an additional
9 thirty days. (ECF No. 143.)

10 On June 9, 2014, Plaintiff filed a notice detailing his efforts to obtain information for service of
11 Defendant Jimenez. Plaintiff reports that he continues to seek information through discovery in this
12 matter and he also has submitted a public records request. Plaintiff requests that this Court withhold
13 from dismissing Defendant Jimenez until Plaintiff receives information from the sources he has
14 contacted. (ECF No. 150.)

15 The Court finds that Plaintiff continues to be diligent in his efforts to obtain information for
16 service of Defendant Jimenez. Accordingly, the Court will extend the deadline a second time for
17 Plaintiff to provide information to identify Defendant Jimenez for service. However, if Plaintiff is
18 unable to provide the Marshal with additional information, then Defendant Jimenez shall be dismissed
19 from this action without prejudice.

20 **III. Conclusion and Order**

21 Based on the foregoing, it is HEREBY ORDERED that:

- 22 1. Plaintiff is granted a second extension of time to respond to the Court's order to show
23 cause why Defendant Jimenez should not be dismissed from the action;
- 24 2. Within thirty (30) days from the date of service of this order, Plaintiff shall show cause
25 why Defendant Jimenez should not be dismissed from this action; and

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