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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	RAUL HERNANDEZ,	Case No. 1:09-cv-00828-AWI-SAB
12	Plaintiff,	ORDER REGARDING PLAINTIFF'S MOTION
13	v.	REQUESTING STATUS OF SERVICE OF DEFENDANT R.D. SMITH
14	T. SMITH, et al.,	[ECF No. 31]
15	Defendants.	
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17	Plaintiff Raul Hernandez is a state prisoner appearing pro se and in forma pauperis in this	
18	civil rights action pursuant to 42 U.S.C. § 1983.	
19	Now pending before the Court is Plaintiff's motion requesting the status of service of	
20	process on Defendant R.D. Smith, filed November 14, 2013. Plaintiff acknowledges that	
21	Defendant L.Kirk has made an appearance in the action by filing a answer to the complaint on	
22	November 5, 2013. However, Defendant R.D. Smith has not yet made an appearance.	
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Plaintiff is advised that the United States Marshal is still in the process of attempting to locate and service Defendant R.D. Smith. The Court will inform Plaintiff of any further information regarding the service as soon as it becomes available.

IT IS SO ORDERED.

Dated: **December 3, 2013**

UNITED STATES MAGISTRATE JUDGE