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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GERALD A. WEST,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS, et al.,

Defendants.

CASE NO. 1:09-cv-01277-LJO-DLB PC

ORDER REQUIRING PLAINTIFF TO
FURNISH FURTHER INFORMATION FOR
INITIATION OF SERVICE OF PROCESS

(Doc. 16)

RESPONSE DUE WITHIN THIRTY DAYS

Plaintiff Gerald A. West (“Plaintiff”) is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), which provides a remedy for violation of civil rights by federal actors. his action is proceeding on Plaintiff’s second amended complaint, filed October 19, 2009 (Doc. 16.) Plaintiff states a cognizable *Bivens* claim against Defendant John Doe 2 for violation of the Eighth Amendment. Because Plaintiff is proceeding in forma pauperis, the Court must appoint the United States Marshal to serve each defendant with a summons and complaint. Fed. R. Civ. Pro. 4(c)(2). However, the Marshal cannot locate and serve unidentified defendants.

Within thirty days from the date of service of this order, Plaintiff shall provide the Court with further information to assist the Marshal in serving defendant. The Court is aware that Plaintiff does not know the names of the Doe defendant. From Plaintiff’s second amended complaint, it appears that Defendant John Doe 2 worked at United States Penitentiary-Atwater on October 27, 2009. Defendant John Doe 2 interacted with inmate Richard Morton. If Plaintiff can remember any other

1 details that might assist the Court and the Marshal, Plaintiff shall so inform the Court.

2 Based on the foregoing, it is HEREBY ORDERED that within **thirty (30) days** from the date
3 of service of this order, Plaintiff shall provide the Court with any and all information he has that
4 might help the Marshal identify and serve Defendant John Doe 2. The failure to comply with this
5 order will result in dismissal of this action for failure to obey a court order.

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7 IT IS SO ORDERED.

8 **Dated: April 15, 2010**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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