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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT E. BARRETT,
Plaintiff,
v.
MATTHEW CATE, et al.,
Defendants.

Case No. 1:09-cv-01741 LJO JLT (PC)
ORDER REQUIRING PLAINTIFF TO
PROVIDE ADDITIONAL INFORMATION
TO EFFECTUATE SERVICE OF PROCESS
(Doc. 21)

_____/

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On February 25, 2011, the United States Marshal returned process directed to Defendant McGinnis unserved. According to the returned USM-285 form, service of process was attempted by mail at California State Prison – Corcoran. However, according to the prison, Defendant McGinnis is not employed there. The United States Marshal also attempted to locate Defendant McGinnis through the California Department of Corrections and Rehabilitation’s internal locator. That effort was also unsuccessful.

Plaintiff must provide additional information about where this defendant may be served with process. Plaintiff may seek such information through the California Public Records Act, California Government Code §§ 6250, et seq., or any other means available. Plaintiff must proceed with haste. Federal Rule of Civil Procedure 4(m) requires the dismissal of a defendant not served within 120 days after filing of the complaint unless the time is enlarged based upon a showing of good cause.

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Accordingly, it is **HEREBY ORDERED** that:

1. The Clerk of the Court is directed to send Plaintiff one USM-285 form;
2. Within thirty (30) days from the date this order is served, Plaintiff may submit to the Court the USM-285 form complete with new instructions for service of process upon Defendant McGinnis; and
3. Plaintiff is firmly cautioned that his failure to comply with this order will result in a recommendation that Defendant McGinnis be dismissed from this action.

IT IS SO ORDERED.

Dated: March 1, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE