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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

OSCAR W. JONES,	CASE NO. 1:10-cv-01530-SKO PC
Plaintiff,	ORDER REQUIRING PLAINTIFF TO FILE STATUS REPORT
v.	(Doc. 18)
STEPHEN MAYBERG, et al.,	FIFTEEN-DAY DEADLINE
Defendants.	

Plaintiff Oscar W. Jones, a former civil detainee proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 25, 2010. Pursuant to the screening order filed on May 2, 2012, this action is proceeding against Defendants Bryant and Does 2 and 3 for violating the Due Process Clause relating to the failure to transport Plaintiff for medical treatment.

By separate order, Defendant Bryant was dismissed from this action, leaving only the two Doe defendants. Fed. R. Civ. P. 4(m). Although the use of Doe defendants is generally disfavored, the law of this Circuit requires that Plaintiff be provided with “an opportunity through discovery to identify the unknown defendants, unless it is clear that discovery would not uncover the identities. . . .” *Wakefield v. Thompson*, 177 F.3d 1160, 1163 (9th Cir. 1999) (quoting *Gillespie v. Civiletti*, 629 E.2d 637, 642 (9th Cir. 1980)). Therefore, Plaintiff is required to notify the Court how much time he needs to conduct discovery to ascertain the identities of Does 2 and 3.

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Accordingly, it is HEREBY ORDERED that:

1. Within **fifteen (15) days** from the date of service of this order, Plaintiff shall file a status report notifying the Court how much time he needs to conduct discovery to ascertain the identities of the two Doe defendants; and
2. If Plaintiff fails to respond to this order, this action will be dismissed, with prejudice, for failure to prosecute.

IT IS SO ORDERED.

Dated: April 27, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE