UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MICHAEL MCNEIL,

Plaintiff,

v.

LVN HAYES, et al.,

Defendants.

_____/

Case No. 1:10-cv-01746-AWI-SKO (PC)

DENYING PLAINTIFF'S MOTION AS MOOT

(Doc. 149)

Plaintiff Michael McNeil, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on September 23, 2010. To date, the United States Marshals ("USM") Office has been unable to locate and serve Defendant Aron Rotman, M.D. On August 21, 2014, Plaintiff filed a motion seeking leave to submit a new USM-285 form for Defendant Rotman, based on Plaintiff's receipt of a new address.

The USM, Sacramento Division, is aware of the new address provided by Plaintiff, and staff recently prepared a new service packet and forwarded it to the Central District for personal service. The Court anticipates that an attempt to personally serve Defendant Rotman will occur in the near future. Accordingly, Plaintiff's motion is DENIED as moot.

IT IS SO ORDERED.

Dated: **September 4, 2014**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE