

1 Plaintiff filed a response to the order to show cause and requested an extension of time to file a
2 motion for substitution. (ECF No. 26.) On January 14, 2015, the Court granted Plaintiff thirty days to
3 file a request to file a motion for substitution. (ECF NO. 33.) Plaintiff filed a motion for substitution
4 on February 25, 2015.

5 Plaintiff seeks to substitute the “unknown” wife of Defendant Bell as the successor or
6 representative of the decedent’s estate. Plaintiff requests the Court substitute the “unknown” wife or
7 “grant Plaintiff the opportunity to find the address and or telephone number of the unknown wife of
8 the Defendant A. W. Bell the decedent, to attempt proper service upon the substitution Defendant.”
9 While Plaintiff may seek to substitute the proper party for Defendant Bell, it is Plaintiff’s
10 responsibility to identify the party, make the substitution, and provide sufficient information for the
11 Marshal to locate the party for service. Neither the Court nor the Marshal may conduct an
12 investigation on Plaintiff’s behalf to determine this information. Nor will the Court grant Plaintiff an
13 infinite period of time to discover such information. The Court will discharge the order to show cause
14 and allow Plaintiff one final opportunity to substitute the proper party in light of Defendant Bell’s
15 death and provide that party’s address for service. If Plaintiff fails to make the proper substitution and
16 provide a current address for service within thirty days from the date of service of this order,
17 Defendant Bell will be dismissed from this action.

18 Accordingly, it is HEREBY ORDERED that:

- 19 1. The order to show cause, filed October 1, 2014, is DISCHARGED; and
- 20 2. Within thirty days from the date of service of this order, Plaintiff shall make the proper
21 substitution and provide a current address for service on the proper party for Defendant
22 Bell or he will be dismissed from this action.

23
24 IT IS SO ORDERED.

25 Dated: March 19, 2015



26 UNITED STATES MAGISTRATE JUDGE