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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 MUHAMMAD NURIDDIN,) Case No.: 1:11-cv-01448-LJO-SAB (PC)
12 Plaintiff,)
13 v.) ORDER GRANTING PLAINTIFF THIRTY
14 ESTRELLA, et al.,) DAYS TO PROVIDE FURTHER INFORMATION
15 Defendants.) AS TO LOCATION OF DEFENDANT MILLER
16) [ECF No. 34]
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17 Plaintiff Muhammad Nuriddin is appearing pro se and in forma pauperis in this civil rights
18 action pursuant to Bivens v. Six Unknown Agents, 403 U.S. 388 (1971). Bivens actions and actions
19 under 42 U.S.C. § 1983 “are identical save for the replacement of a state actor under § 1983 by a
20 federal actor under Bivens.” Van Strum v. Lawn, 940 F.2d 406, 409 (9th Cir. 1991).

21 On January 13, 2015, a Findings and Recommendation was issued recommending dismissal of
22 Defendant Miller pursuant to Federal Rule of Civil Procedure 4(m). (ECF No. 32.)

23 Plaintiff filed objections on February 25, 2015. In his objections, Plaintiff requests additional
24 time to obtain the service of an investigator to locate and provide Plaintiff with the address or
25 telephone number for Defendant Miler. In the interest of justice, the Court will grant Plaintiff thirty
26 days from the date of service of this order to obtain and provide the Court will further information to
27 assist the U.S. marshals service with service of process on Defendant Miller. However, the Court will
28 not hold the action in abeyance indefinitely for Plaintiff to obtain the assistance of an investigator to

1 locate Defendant Miller. Nor will the Court grant any further extensions of time to conduct an
2 investigation absent a showing that Plaintiff has obtained relevant information to assist in effectuating
3 service upon Defendant Miller.

4 Based on the foregoing, it is HEREBY ORDERED that Plaintiff is granted **thirty (30)** days
5 from the date of service of this order to provide further information to assist the United States marshal
6 with service of process on Defendant Miller. After this time period has expired, the Findings and
7 Recommendation will be submitted to the assigned District Judge for resolution.

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9 IT IS SO ORDERED.

10 Dated: **March 27, 2015**


UNITED STATES MAGISTRATE JUDGE